



Zimbabwe

Country Reports on Human Rights Practices - [2001](#)

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Zimbabwe is a republic in which President Robert Mugabe and his Zimbabwe African National Union-Patriotic Front (ZANU-PF) have dominated the executive and legislative branches of the Government since independence in 1980. Although the Constitution allows for multiple parties, opposition parties and their supporters were subjected to significant intimidation and violence by the ruling party and government security forces, and financial restrictions continued to be imposed on the opposition. The 2000 parliamentary elections were preceded by a government-sanctioned campaign of violence directed towards supporters and potential supporters of the opposition. Although most election observers agreed that the voting process itself generally was peaceful, there were irregularities. In 1999 the country's first viable opposition party emerged, the Movement for Democratic Change (MDC), which won 57 out of 120 seats in the June 2000 parliamentary elections. The Constitution provides for an independent judiciary, and in practice the judiciary remained largely independent despite government attempts to dilute its independence; however, the Government repeatedly refused to abide by judicial decisions.

The Zimbabwe Republic Police (ZRP) is responsible for maintaining law and order. Although the ZRP officially is under the authority of the Ministry of Home Affairs, in practice it is controlled by the President's office. The Zimbabwe National Army and Air Force under the Defense Ministry are responsible for external security; however, they frequently were called upon for domestic operations during the year. The Central Intelligence Organization (CIO), under the Minister of State for National Security in the President's Office, is responsible for internal and external security, but it does not have powers of arrest. Senior government and ruling party members tightly control the security forces. Members of the security forces committed numerous, serious human rights abuses.

An estimated 60 percent of the population of approximately 12 million survive on subsistence agriculture and approximately 75 percent rely directly or indirectly on agriculture for their livelihood; however, there are significant mining, manufacturing, and service sectors. The country has abundant arable land, minerals, good but deteriorating infrastructure, an educated and disciplined work force, and an ecotourism sector. Its chief sources of hard currency are tourism and exports of tobacco, gold, ferroalloys, nickel, and remittances from citizens working in other countries. Important sectors of the nonfarm economy continued to be dominated by state-owned monopolies and suffered from mismanagement and poor governance, including corruption, and from large fiscal deficits exacerbated by the Government's military operations since 1998 in the Democratic Republic of the Congo (DRC). These conditions contributed to accelerating price inflation, rapid currency depreciation, shrinking real incomes, and high unemployment. The formal sector unemployment rate exceeds 65 percent. The country's gross domestic product (GDP) was estimated at approximately \$2 billion (Z\$600 billion). During the year, per capita GDP fell to \$392 and, according to government estimates, more than 70 percent of the population lives below the poverty line. The Government has faced growing pressure from urban labor groups and rural low-income groups as the standard of living dropped. International experts estimated that HIV/AIDS infects one-third of the adult population, and has created an estimated 900,000 orphans since the late 1980's.

The Government's very poor human rights record continued to worsen during the year, and it committed numerous, serious abuses. Security forces committed extrajudicial killings. A government-sanctioned, systematic campaign of violence targeting supporters and potential supporters of the opposition began in the run-up to parliamentary elections in 2000 and continued to intensify during the year. Ruling party supporters and war veterans, with material support from the Government, expanded their occupation of commercial farms, and in some cases killed, abducted, tortured, beat, abused, raped, and threatened farm owners, their workers, opposition party members, and other persons believed to be sympathetic to the opposition. There were reports of politically motivated disappearances. Security forces tortured, beat, raped, and otherwise abused persons.

Prison conditions remained harsh and life threatening. Arbitrary arrest and detention and lengthy pretrial detention remained problems. The Government undermined the independence of the judiciary by pressuring justices to resign and replacing them with those deemed to be more sympathetic to the ruling party's policies; the Government manipulated the composition of the courts and did not respect court rulings against the Government's land resettlement program. Infringements on citizens' privacy continued. The Government expanded its far-reaching "fast-track" resettlement program, begun in 2000, whereby nearly all large-scale commercial farms, which are mostly white-owned, were designated for seizure without fair compensation; many farmers and their families were forced to abandon their homes and property due to direct threats from members of the Government and ruling party, and their supporters.

The Government continued to restrict freedom of speech and of the press, enforced restrictive laws against journalists, intimidated and arrested journalists, and monopolized radio and television broadcasting. The Government imposed more stringent restrictions on foreign journalists. Journalists also practiced self-censorship, and the Government continued to restrict academic freedom. The Government restricted freedom of assembly and used force on numerous occasions to disperse nonviolent public meetings and demonstrations. Although the Government generally respected religious freedom, its retention of the colonial-era Witchcraft Suppression Law reportedly was viewed as restrictive by some practitioners of traditional indigenous religions. The Government at times restricted freedom of movement, including erecting roadblocks around and within districts holding elections throughout the country. Tens of thousands of farm workers were displaced internally due to the ongoing land resettlement policies. The Government amended and began enforcing a law that requires all dual nationals to renounce their foreign citizenship in order to retain their Zimbabwean citizenship. The political process remained heavily tilted in favor of the ruling party, and widespread irregularities, fraud, and intimidation marred the parliamentary by-elections held during the year. The Government accused nongovernmental organizations (NGO's) of launching opposition political activity. Domestic violence against women remained widespread, female genital mutilation (FGM), and discrimination against women and persons with disabilities remained problems. Abuse of children remained a problem. There were continuing reports of ritual murders associated with traditional religious practices. The President and his Government encouraged widespread resentment of the economically prominent white minority. The Government violated worker rights. Child labor was a problem, and the traditional practice of offering young girls as compensatory payment in interfamily disputes persisted. There were reports that persons were trafficked from the country to South Africa for prostitution and forced labor.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

Security forces committed at least four extrajudicial killings, and in numerous other cases, army and police units participated or provided transportation and other logistical support to perpetrators of political violence and knowingly permitted their activities.

In March a soldier reportedly died from injuries after he was tortured by police and CIO officers at the Harare Central police station. There was no further information available on the case by year's end.

On April 9, police beat to death a University of Zimbabwe (UZ) student in his dormitory room following student demonstrations on the campus the previous day (see Section 2.b.). The UZ student reportedly was not involved in the protests. Police denied that the student died from injuries sustained from the assault by several police officers, and no further action was taken on the case by year's end.

On October 15, two army soldiers used batons to beat to death a man in a Guruve police station. The soldiers reportedly accused the man of looting. They were arrested and charged with murder, and a Bindura magistrate ordered them to be held without bail. The case remained pending at year's end.

On November 24, six ZDF soldiers beat and threw Lameck Chemvura, a UZ student who they suspected of supporting the MDC, from a moving train; he subsequently died from his injuries. Six soldiers were arrested; however, only one was charged with murder. The police denied that the case was politically motivated. The case was pending at year's end.

The Government used excessive force to disperse demonstrations and strikes during the year (see Sections 1.c., 2.b., and 6.a.). On August 8, members of the security forces attempted to disperse forcibly a strike at the Zimbabwe Iron and Steel Company (ZISCO) plant in Redcliff (see Section 6.a.). Three truckloads of heavily armed army and police units fired tear gas, beat participants, and shot at the strikers indiscriminately, which

resulted in the deaths of 3 strikers and injuries to 10 others. The Government claimed that the police shot the three accidentally; however, labor activists stated that the security forces fired at the workers deliberately to break up the strike. Although police conducted an investigation, the results were not announced by year's end. The Steel Workers' Union sued the police and army for using excessive force; the case still was pending at year's end.

Harsh prison conditions and a high incidence of HIV/AIDS are acknowledged widely to have contributed to a large number of deaths in prison; the Zimbabwe Prison Service documented that 1,051 prisoners have died of HIV/AIDS-related causes since 1998 (see Section 1.c.). However, some deaths in custody and prison may have been due to abuse.

On August 13 in Gokwe, Vusumuzi Mukweli, an activist for the MDC, died in prison under suspicious circumstances 5 days after he was arrested for allegedly inciting violence in a campaign for local council elections. The MDC called for an official investigation into Mukweli's death, but there was no action on the case by year's end.

During the year, a civilian teenager in Masvingo province near the border with Mozambique reportedly was killed by a landmine explosion. In 2000 two persons were killed and two were injured by landmine explosions.

In 2000 at a soccer match in Harare, 12 persons were trampled to death after police fired tear gas into stands where opposition supporters were waving MDC banners and chanting antigovernment slogans. Five others were injured critically, one of whom later died from injuries. Human rights organizations were supporting individual legal cases against the ZRP for using excessive force in the incident; however, the cases had not been tried by year's end.

No action was taken in the case of Notice Zhakata, who reportedly died at Norton Hospital in 1999 of injuries inflicted on him by police at the Kadoma police station, where he was detained following an arrest.

Police killed eight persons during the 1998 food riots. The Government conducted investigations into these cases, and private legal actions were instigated against the police. At year's end, only 3 of 42 cases still were pending before the courts. In the resolved cases, 26 judgments were issued against the police, and payments in 7 cases were made (see Section 1.c.).

By year's end, the Government still had not responded formally to a 1997 report by the Legal Resources Foundation (LRF) and the Catholic Commission for Justice and Peace (CCJP) on atrocities committed during the 1982-87 Matabeleland crisis, despite the 1999 release of a shortened version of the report that was made available in local languages, and as a result of mounting pressure from civic groups, political parties, and churches. The LRF and Zimbabwe Lawyers for Human Rights subsequently subpoenaed the Government in January 2000 to release the findings of two commissions that investigated the Matabeleland massacres; however, the Attorney General claimed that the documents were missing. In July 2000, the LRF petitioned the Supreme Court to force the Government to release the findings; by year's end, the Court ruled that the President could be sued in court but did not rule on whether the Government was required to release its findings. An estimated 10,000 to 20,000 persons died in the Matabeleland massacres.

The Zimbabwe Human Rights NGO Forum, an umbrella group of 9 prominent domestic human rights organizations, reported that 48 persons were confirmed killed as a result of political violence during the year. According to human rights groups, at least 130 persons reportedly have been killed during political violence since early 2000, which these groups consider to be a conservative estimate because it includes only the number of confirmed killings. ZANU-PF supporters committed almost all of the killings during the year; however, opposition supporters reportedly were involved in at least two killings. In the 5-month period before the 2000 parliamentary elections, 31 deaths were reported officially as a result of political violence, which were mostly perpetrated by supporters of the ruling party. The majority of those killed in political violence were MDC activists or supporters. A number of farm workers reportedly were killed in political violence; however, exact figures were not known. In 2000 at least five farm workers were killed; three of the five were found hanged, and the police recorded their causes of death as suicides.

On January 9, six MDC supporters were charged with killing Bernard Gara, a ZANU-PF supporter, during clashes between ruling party and opposition supporters at Baradzanwa Business Centre in Bikita West in early January. The case still was pending at year's end.

In March ZANU-PF supporters reportedly chased and killed two MDC members in Muzarabani and Hoya wards, Mashonaland Central province. One of the victims was beaten with logs and had his eyes gouged out. The other reportedly drowned after he was chased into a river by ZANU-PF supporters. No action was taken

against those responsible by year's end.

In late June, Misheck Mwanza, who worked at Dick Farm in Chinhoyi district, died from injuries suffered during an assault in May. Mwanza's wife stated that she and her husband were approached by four suspected ZANU-PF supporters while walking on the farm in May. Her husband was asked what party he supported and, upon answering that he supported the MDC, the four men immediately attacked him. No arrests were reported.

On October 29, Tawanda Mutinzwe, a ZANU-PF supporter, was charged with murder and held without bail for allegedly torturing two men to death with a hot iron. The case remained pending at year's end.

On November 5, approximately 10 armed men reportedly abducted Cain Nkala, Bulawayo War Veterans Chairman, from his home and killed him. One week later, Nkala's body was found in a shallow grave 25 miles southwest of Bulawayo. The Government, including President Mugabe, accused the MDC of committing the killing. Approximately 30 MDC members were arrested and detained in connection with the murder (see Section 1.d.). The MDC denied responsibility for the killing and accused the security forces of killing Nkala.

On December 8, Augustus Chacha, an MDC activist, was abducted from his home by suspected ZANU-PF supporters; his body was found in a reservoir near his home in Shurugwi district on December 10. A local ZANU-PF spokesman denied that the party was responsible for the killing. There were no reports of action taken against those responsible by year's end.

Between December 21 and 26, ZANU-PF youth brigade members killed four MDC activists, and one other died from injuries after a December 6 attack. Among those persons killed were Trymore Midzi, the MDC vice-chairman for the Bindura district, and Titus Nheya, an MDC candidate who ran for office but was defeated in the 2000 parliamentary election. No action was taken or investigation conducted by year's end.

On December 25, MDC supporters reportedly killed Willis Dhlwayo, a war veteran and ZANU-PF supporter, near the town of Chipinge and left his body on a road near the Mount Selinda border post. Dhlwayo reportedly was arguing with MDC supporters during the night before the killing. Police stated that the killing probably was politically motivated; the investigation was ongoing at year's end.

In 2000 in Buhera district, a group of men in a ZANU-PF vehicle pulled in front of a vehicle driven by MDC leader Morgan Tsvangirai's campaign manager and eight other passengers and forced the vehicle to stop. The men beat the driver and passengers with rifle butts and then set the car on fire. The driver and one passenger died in the attack, and two other passengers reportedly were hospitalized. Police later arrested two persons implicated in the attack, but they were released after a brief detention without explanation. There were no other arrests or court action in the case.

There was no known investigation or action taken against the ZANU-PF supporters responsible for the following killings in 2000: The June killing of Mandishona Mutyanda, NDC ward chairman for Kwekwe district; the May beating to death of Mationa and Onias Mashaya; the May beating to death of Alex Chisasa; the April killing of Luckson Kanyurira and another MDC supporter; and the March killings in Mberengwa district.

Several white commercial farmers were killed during the year; however, it was unclear if any of the attacks were connected to land seizures. On March 4, unknown persons shot and killed 72-year-old Gloria Olds, a commercial white farmer, in front of her farm gate in Matabeleland North province. Her son, farmer Martin Olds, was killed by ZANU-PF supporters in 2000. The police who investigated the crime claimed that robbery was the motive because her truck was stolen after the attack. However, the Commercial Farmers Union stated that political intimidation of white commercial farmers was the most likely motive. Police arrested one suspect shortly after the murder, but no further action was taken by year's end. On August 6, Kwekwe farmer Ralph Fenwick Corbett died in a hospital as a result of head injuries sustained in an attack by suspected war veterans. The suspects reportedly broke into his home and tied him with wire before assaulting him with an axe. Police conducted an investigation, but no further action reportedly was taken by year's end.

In April 2000, a group of war veterans, including active duty defense force personnel in civilian clothing, abducted MDC organizer and commercial farmer David Stevens from his farm and took him to their base in Murewa, where they beat him badly and then shot and killed him. In September 2000, after receiving an anonymous tip, police arrested a Marondera war veteran and charged him with murder. The suspect was released on bail pending a court hearing; however, the Attorney General later withdrew the charges due to a lack of evidence, although the suspect had been apprehended with the murder weapon and had been identified by a number of witnesses. No further action was taken on the case by year's end.

No action reportedly has been taken against the three men armed with rifles who killed white farmer Henry

Elsworth and seriously injured his son in an ambush attack outside his farm gate in December 2000.

There were continuing reports of ritual murders and killings of children for body parts that were associated with traditional religious practices. In 1999 Faber Chidarikire, a ZANU-PF official and mayor, was charged with the murder of a girl in 1987. In June Chidarikire was tried; however, the court deferred its judgment, and no judgment was issued by year's end.

b. Disappearance

There were reports of a growing number of politically motivated disappearances committed by ZANU-PF supporters during the year, especially in the rural areas where most organized groups are loyal to the Government, and there are few opposition organizations. Domestic human rights organizations believe that there were disappearances in rural areas that were not reported due to fear of retribution by progovernment factions. Some abductees were tortured, and others later were found killed (see Sections 1.a and 1.c.). The number of abductions in which abductees were known to be released increased significantly during the year.

The Zimbabwe Human Rights NGO Forum reported 61 disappearances between January and July; 27 remained unresolved at year's end. On January 8, four CIO agents abducted Eide Javachava, a messenger working for former MDC parliamentary candidate Elliot Pfebve, in Harare. The agents detained Javachava for 2 nights, continually beat him, and questioned him (see Section 1.d.). On May 26, masked men suspected of being ZANU-PF supporters reportedly abducted and detained for several hours Joel Sithole, the MDC candidate for a local election in Plumtree. In July in Bindura, the Zimbabwe Human Rights NGO Forum reported that armed police officers claiming to be war veterans abducted Chipso Ruzive and 27 MDC supporters. Five of the supporters, who were youths, still were missing at year's end. Other youths were assaulted by police officers at the Bindura police station but later were released.

In July war veterans reportedly kidnaped and tortured 13 MDC supporters at torture camps in Bindura district (see Section 1.c.).

On September 4, the wife and daughter of Elliot Pfebve were abducted at knifepoint and held for 4 hours (see Section 1.f.).

In April and May, war veterans abducted managers of urban NGO's and private companies and took them to ZANU-PF headquarters in attempts to extort wage concessions for the NGO and company employees.

In 2000 Patrick Nabanyama, a local MDC official and polling agent for Bulawayo South Member of Parliament (M.P.) David Coltart, was abducted by suspected ZANU-PF supporters from his home. Ten war veterans, including Cain Nkala, the chairman of the National Liberation War Veterans Association in Bulawayo, reportedly were detained for the kidnaping. On November 4, the 10 detainees pleaded not guilty to charges of kidnaping and were released on bail. The following day, Cain Nkala was kidnaped and killed (see Section 1.a.). At year's end, Nabanyama still was missing.

No action reportedly was taken against the war veterans who beat and abducted a journalist for The Independent newspaper, a foreign journalist, and her cameraman, in Mutoko district in 2000; the police rescued the kidnaped journalists within a few hours of the abduction.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, security forces tortured, beat, and otherwise abused persons. The ZRP showed poor training in criminal apprehension and interrogation, and there were unconfirmed reports of human rights abuses by the CIO. There continued to be reports of police using excessive force in apprehending and detaining criminal suspects. Government supporters continued to beat and torture suspected opposition members, commercial farmers, and farm laborers.

Security forces were involved in incidents of political violence, including instances of soldiers beating civilians in areas where persons voted for the opposition, such as Harare suburbs and Masvingo town.

On January 4, police officers and CIO agents detained and tortured for 4 days Ishmael Kauzani, an MDC supporter, at Zaka police station in Bikita West. Police blindfolded him, interrogated him about the MDC, kicked and beat him all over his body, including his genitals, with sticks and bare hands. Following the January 13-14 by-elections, the violence in Bikita West decreased.

On January 8 in Harare, four CIO agents abducted Eide Javachava, a messenger working for former MDC parliamentary candidate Elliot Pfebve. The agents detained, continually beat and questioned Javachava for 2 nights (see Section 1.d.).

On April 2, police and ZANU-PF youth supporters assaulted and injured Tawanda Hondora, Chairman of Zimbabwe Lawyers for Human Rights, at a police station in Chikomba. Hondora had gone to the station to investigate claims by witnesses for the MDC in its legal petition that they were being intimidated and pressured not to testify against ZANU-PF members. Hondora identified five persons who assaulted him; however, the police had taken no action by year's end. A civil suit against the attackers also remained pending at year's end.

Following ZANU-PF's defeat in a May mayoral election, in Masvingo town, 50 army recruits reportedly beat and injured the occupants of local nightclubs and other establishments (see Section 3).

On July 3, police officers in Harare's Budiro township reportedly beat with batons Richard Jachi and his wife after they were ordered out of their house at approximately 3 a.m. According to the Amani Trust, the Jachis were taken to Budiro police station, where they were beaten again and charged with public violence. There was no further information available on the case by year's end.

In July there were reports that police beat residents in Harare's suburbs during a strike (see Section 6.a.).

On September 7, police officers detained Tinaapi Diura, a local MDC official in Chikomba. The officers questioned him about a recent attack on a ZANU-PF official, then beat him. Diura was released at a cemetery where a group of young ZANU-PF members beat him with batons.

On November 24, on a train, six army soldiers beat and harassed passengers who they suspected of supporting the opposition; one UZ student was killed when the soldiers threw him from the moving train (see Section 1.a.).

The Amani Trust reported that at least six politically motivated rapes were committed during the year but noted that the figure likely is grossly underreported due to cultural taboos. The attacks targeted female farm workers and health workers (see Section 5).

Security forces repeatedly used force, including tear gas, to disperse nonviolent demonstrations; security forces also beat demonstrators, which resulted in injuries (see Section 2.b.).

The Government generally has not pursued actively past allegations of torture and has not prosecuted CIO or ZRP officers for such abuses.

No action reportedly was taken against the army soldiers who allegedly beat an MDC M.P. and MDC members at a political rally in 2000 or against the police and security forces who used excessive force to disperse demonstrations or soccer matches on the following dates in 2000: October 16; October 12; October 9; and July 9.

Unlike in the previous year, there were no reports that government forces allegedly used landmines in the DRC. There were reports in 2000 that government forces allegedly used landmines in the DRC; there was no further information available on the extent of injuries resulting from these landmines.

In 1999 the Chitungwiza police arrested, detained for 6 months, and allegedly tortured a married couple, Joyce and Shupikai Karimazondo, and another person, John Mita, in response to allegations by a neighbor that they had killed their young domestic worker for ritual purposes. In 2000 the Karimazondos and Mita were released, and the murder charge was dropped after the domestic worker was located alive and unharmed. The Magistrate Court declined the Karimazondos' defense counsel's application to have the Government prosecute the investigating officers for misconduct and unlawful detention. Mita stated that he was suing the Government for unlawful detention. The Amani Trust investigated the allegations. The Karimazondos filed a civil suit with the High Court, and at year's end, the case was pending.

In 1999 the military police detained and subsequently tortured and beat two journalists, Mark Chavunduka and Ray Choto (see Section 2.a.). The journalists' suit for their alleged mistreatment still was pending at year's end.

In 1999 CIO officer Richard Mutswiri Mutiti reportedly filed a suit with the High Court alleging that four CIO officials had beaten and kicked him, doused him with a flammable petroleum distillate, and threatened to burn him, while detaining him without warrant at the Harare Central Police Station in 1998. A CIO disciplinary

committee reportedly recommended the firing of the four officials in 1998, and one reportedly resigned soon thereafter. The case was pending in the High Court at year's end.

There were no known developments in the case of three men, one of whom later was identified as a police officer, who reportedly assaulted Isodore Zindoga, deputy secretary general of the Zimbabwe Confederation of Trade Unions (ZCTU), in 1999 in Harare. There were no developments in the case of Notice Zhakata who reportedly died at Norton Hospital of physical abuse inflicted by police at the Kadoma police station while he was detained in 1999.

A consortium of human rights lawyers and NGO's pursued legal actions in 42 cases on behalf of persons who alleged that they had been injured by members of the security forces during the 1998 food riots (see Sections 1.a. and 1.d.). By year's end, only three cases were unresolved and still pending.

Government supporters continued to beat and torture suspected opposition members, commercial farmers, and farm laborers. An international team of experts from the International Center for Rehabilitation of Torture Victims, led by Dr. Inge Gefencke, visited the country during the year and concluded that there was systematic mass physical and psychological torture perpetrated by government supporters throughout the country. Human rights groups have reported that war veterans and other ruling party supporters set up torture chambers in government-funded offices and police stations to brutalize opposition supporters. The Zimbabwe Human Rights NGO Forum reported 2,245 cases of torture during the year as part of a campaign of political violence. In 2000 the names of MDC M.P. David Coltart and other MDC members and supporters reportedly were included on a death list that was circulated among ZANU-PF supporters. During the year, the death list reportedly continued to be circulated, and additional names were added.

Persons perceived as supporting the opposition, including teachers, civil servants, health workers, and laborers in the manufacturing sector, were singled out for assault or intimidation. In most cases, the national police did not halt acts of political intimidation or violence, arrest the perpetrators, or vigorously investigate political crimes. Some victims who were tortured or beaten died as a result of their injuries (see Section 1.a.).

There were reports that war veterans targeted for abuse ZANU-PF members who were not carrying the new party identification cards during the year (see Section 3).

In the 2 months preceding the July 28-29 by-election in Bindura, ZANU-PF supporters beat and tortured hundreds of opposition supporters.

In June and July, war veterans set up camps at Kitsiyatota, Chiveso, Murembe, Mupandira, and Maizeland Farms in Bindura district where they tortured captured opposition supporters. The Zimbabwe Human Rights NGO Forum reported that war veterans also established torture camps at Foothill Farm and Nyawa in Bindura. In July war veterans reportedly kidnaped and tortured 13 MDC supporters at one of the bases in Bindura. There was no further information available on the case by year's end.

On June 30, ZANU-PF supporters abducted from his home and beat Fani Javangwe in the Harare township of Epworth and accused him of being pro-MDC. They forced Javangwe to lie prostrate and beat him all over his body; he sustained multiple injuries to the head, ears, and left leg, and suffered a fracture of his left hand. He also was forced to strip naked and sit very close to a fire. Javangwe reported the attack to the police; however, no action was taken by year's end.

In June Willis Madzimure, the MDC M.P. for the Harare suburb of Kambuzuma, was attacked in his home (see Section 1.f.). His maid sustained injuries to her head, back, hands, and stomach from bricks that were thrown at her as she escaped over the back wall. One residential guard lost an eye in the attack, and a second guard sustained head injuries. Although Madzimure's guards identified six of the perpetrators, no arrests were made by year's end.

On July 22 in Bindura, several hundred ZANU-PF supporters ambushed a motorcade carrying MDC President Tsvangirai and several MDC M.P.'s. The ZANU-PF youths threw stones at the vehicles, seriously injuring five persons, and burnt the car in which the MDC's secretary for health, Dr. Tichaona Mudzingwa, was riding; several persons, including Mudzingwa, were detained after the incident (see Section 1.d.). None of the perpetrators was detained or charged.

On August 6, during a conflict between commercial farmers and farm occupiers near Chinhoyi, at least four persons were injured seriously (see Section 1.f.). On August 7, ZANU-PF youth indiscriminately beat white persons in the area. Following the conflict, 24 white farmers and their relatives, including 5 persons who were making inquiries at police stations, were charged with assault and public violence. All of those arrested were

released on bail (see Section 1.d.). Their cases remained pending at year's end.

In early September, Mutandera, an MDC supporter, was forced to attend a ZANU-PF meeting in Chikomba, where he was beaten severely and stabbed in the head, according to the Zimbabwe Election Support Network (ZESN). He was hospitalized at Chivhu General Hospital.

In October in Gokwe district, ZANU-PF supporters reportedly abducted and tortured 10 MDC supporters, including a local MDC official. The abductees were taken to a camp in a local shopping area. One abductee, Elifanos Chamunorwa, was forced to carry a large boulder on his shoulders for a long distance and was burned on the soles of his feet with a hot iron. Police officers intervened to take Chamunorwa to a hospital; however, no arrests were made. Phineas Dimhairo, the MDC chairman for Gokwe Central, reportedly was stoned and whipped with chains. The case was pending at year's end.

On November 7, ZANU-PF supporters beat and whipped numerous farm workers and their families, including a 5-year-old boy, on five farms near the town of Marondera. No arrests were made by year's end.

On November 16, hundreds of war veterans and ZANU-PF supporters attacked shoppers, schoolchildren, and other persons in Bulawayo, causing numerous injuries. No arrests had been made by year's end.

On November 30, 300 war veterans reportedly raided a farm near Chegutu, beat farm workers, and burned 42 houses; 20 persons were hospitalized for serious burns, and more than 100 persons were displaced.

During the year, business managers of urban NGO's and private companies were abducted and taken to ZANU-PF headquarters, where some were beaten and threatened, and others were forced to kiss a portrait of President Mugabe and sing ruling party slogans.

War veterans and ZANU-PF supporters continued to harass, intimidate, and abuse journalists considered to be sympathetic to the opposition during the year (see Section 2.a.).

In a number of rural areas, war veterans and other ZANU-PF supporters conducted "pungwes" (forced nightly political gatherings). Hundreds of villagers were rounded up, driven to remote areas, and forced to chant ZANU-PF slogans or denounce the opposition until the next morning.

Government supporters raped suspected opposition supporters. The attacks targeted female farm workers and health workers (see Section 5).

In October 2000, President Mugabe issued a presidential decree granting a general amnesty for politically motivated crimes that occurred between January 1 and July 31, 2000 (see Section 1.e.). The amnesty protects nearly all the agents of the political violence campaign and effectively prevents any criminal prosecutions against them.

In July 2000, the National Constitutional Assembly (NCA), an umbrella organization of approximately 100 NGO's, called for an inquiry into the political violence, and a number of other human rights organizations released reports on the political violence associated with the June parliamentary elections during the year.

There were confirmed reports that in Budiriro, a suburb of Harare, war veteran groups frequently used a medical clinic belonging to former National Liberation War Veterans Association leader and M.P., Dr. Chenjerai Hunzvi, to torture members of the MDC before the 2000 parliamentary elections. At least one person, Chipunza, died from injuries sustained during torture there, and another six testified to a human rights group that they were tortured at this clinic. Authorities arrested 46 war veterans, but they were released on bail, and they are unlikely to be tried because of the amnesty (see Section 3).

The Zimbabwe Human Rights NGO Forum reported that in 2000, ZANU-PF supporters in Mberengwa district abducted a local nurse and a teacher at night and forced them to a remote camp where other opposition members were being held. The two were stripped and forced to climb trees and jump from a height of three meters. They were beaten with electrical cords and sticks and threatened with firearms. Authorities arrested four suspects and held them on charges of malicious damage to property, public violence, kidnapping, and murder. As a result of the presidential amnesty, charges against three of the suspects were dropped, but the other suspect remained in custody for murder at year's end.

In 2000 a group of ZANU-PF supporters allegedly tortured MDC members in Bulawayo before the start of a rally addressed by President Mugabe. In August police arrested two war veterans suspected of participating in

the torture; however, charges against them were dropped as a result of the amnesty.

No action was taken by year's end against the police who used tear gas to disperse violent clashes between MDC and ruling party supporters or against the ZANU-PF supporters and war veterans who beat and threw stones at unarmed opposition members and bystanders in 2000.

There was no known action taken against the ZANU-PF supporters or war veterans responsible for torturing, beating, or otherwise abusing the persons in the following cases from 2000: The August sexual abuse of 10 school children; the July beating of The Standard journalist Cengetayi Zvanya; the June beating of several journalists; the June beating of an MDC ward chairman; the May beating to death of an opposition supporter and his son; the May beating of Eomonn Oliver; the May beating to death of an army sergeant; the April beating and killing of a commercial farmer; and the April beating and killing of several MDC supporters.

No action was taken against the ruling party supporters who conducted 200 reported attacks on schools in June 2000. Teachers were dragged from classrooms, beaten, and stripped naked in front of their students. Health care workers also were targeted for assault, and nurses were raped. During the year, ruling party supporters continued to target teachers who they suspected of supporting the opposition; however, there were fewer attacks than in 2000.

During the year, 11 persons were injured by landmine explosions along the Mozambique border. During 2000 two persons were killed and two were injured by landmine explosions.

On November 25, an unidentified assailant shot a farmer three times at close range in the Macheke area; the farmer was hospitalized for his injuries. Two suspects reportedly were arrested. No further action was taken by year's end.

Prison conditions remained harsh and life threatening. Extreme overcrowding, shortages of clothing, and poor sanitary conditions persist. Overcrowding and poor sanitation aggravated outbreaks of cholera, diarrhea, and HIV/AIDS-related illnesses among the 21,133 prisoners. Government prison service authorities have determined that exposure to HIV/AIDS was a major cause of a large number of deaths in detention, and prison authorities called for more research to address this growing problem; some authorities argued for the early release of such terminally ill prisoners. Fletcher Dulini-Ncube, an MDC M.P. who was arrested for the killing of Cain Nkala and held in Khami Maximum Security Prison for more than 1 month, reportedly was denied regular access to medications for diabetes and hypertension (see Sections 1.a. and 1.d.).

The Government established a successful community service sentencing program to try to alleviate prison overcrowding. The Legal Resources Foundation, in cooperation with the prison service, has established a human rights training program for prison officials. Officials who mistreat prisoners are punished routinely. There has been a significant increase in the number of women incarcerated, primarily due to harsh economic conditions. Female prisoners are held in separate cellblocks from male prisoners. There are an estimated 2,000 women in prison, increasingly for crimes of prostitution, embezzlement, fraud, petty theft, and abandonment of infants. Many incarcerated women are obliged to raise their very young children in prison if they have no one to care for them while they are detained. Juveniles generally are held separately from adults; however, a local NGO reported that occasionally juveniles, particularly juveniles between the ages of 16 and 18 years, are held with adult prisoners for brief periods of time.

Pretrial detainees generally are held in individual cells until their bail hearings. If detainees are charged and remanded into custody, they routinely are held with the general prison population until trial.

The Government permits international human rights monitors to visit prisons; however, government procedures and requirements make it very difficult to do so. Permission is required from the Commissioner of Prisons and the Minister of Justice, which sometimes can take a month or longer to obtain or may not be granted. A local NGO that deals with prisoners' issues was granted access on a number of occasions during the year.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, some laws effectively weaken this prohibition, and security forces arbitrarily arrested and detained persons repeatedly.

The law requires that police inform an arrested person of the charges against him before he is taken into custody. Warrants of arrest issued by the courts are required except in cases of serious crimes or where there is the risk of evidence disappearing. There is a growing problem, especially in rural areas, in which victims or witnesses of crimes who report to the police are themselves charged with the crimes of the perpetrators.

Although a preliminary hearing before a magistrate is required within 48 hours of an arrest (or 96 hours over a weekend), the law often is disregarded if a person does not have legal representation. A 1992 amendment to the Criminal Procedures and Evidence Act substantially reduced the power of magistrates to grant bail without the consent of the Attorney General or his agents. However, in practice a circular issued by the Attorney General giving a general authority to grant bail has lessened the negative effect of the rule. High Court judges grant bail independently.

Detainees generally are not allowed prompt or regular access to their lawyers. Authorities often inform lawyers who attempt to visit their clients that detainees are "not available." Family members generally are denied access unless accompanied by an attorney. Detainees, especially those from rural areas without legal representation, routinely are held incommunicado. Family members and attorneys often are not able to verify that a person has been detained until the detainee appears in court.

The Official Secrets Act and the Law and Order Maintenance Act (LOMA) grant the Government a wide range of legal powers. The LOMA gives extensive powers to the police, the Minister of Home Affairs, and the President to prosecute persons for political and security crimes that are not defined clearly.

In December a revised Public Order and Security Bill (POSB), which the Government proposed to replace the LOMA, was submitted to Parliament for debate; however, it was not passed by year's end.

Prolonged pretrial detention remained a problem. Detainees spend an average of 6 months incarcerated before their trials because of a critical shortage of magistrates and court interpreters.

On January 8, four CIO agents abducted Eide Javachava, a messenger working for former MDC parliamentary candidate Elliot Pfebve, in Harare. The agents detained Javachava for 2 nights, continually beat him, and questioned him about Pfebve, who filed a lawsuit against President Mugabe in a foreign country for sponsoring political violence. Pfebve's brother was killed during the violent campaign that preceded the 2000 parliamentary elections. No further information was available on the case by year's end.

On July 3, police officers in Harare's Budiriro township reportedly took Richard Jachi and his wife to Budiriro police station, where they were beaten and charged with public violence (see Section 1.c.). No further information was available on the case by year's end.

During the July national strike, police raided an MDC office and arrested 33 youths it claimed were responsible for attacks on ZANU-PF supporters in Bindura (see Sections 1.f. and 6.a.). The MDC stated that the police ostensibly were looking for "hostages" that did not exist. On July 3, police arrested three journalists for reportedly photographing the police beating of workers who were participating in the 2-day national strike (see Section 6.a.). On July 4, the three journalists were released because the Attorney General did not press charges.

On July 11, police arrested Wellington Chibebe, the ZCTU's Secretary General, and questioned him about the ZCTU-sponsored strike on July 3 and 4 and the ZCTU's association with foreign labor organizations (see Section 6.a.). He was released later that day.

In August 24 white farmers and their relatives, including 5 persons who were making inquiries at police stations, were charged with assault and public violence. All of those arrested were released on bail. Observers considered the bail conditions to be excessive; although bail amounts rarely exceed \$33 (Z\$10,000), the presiding judge in these cases required bail payments of \$330 (Z\$100,000). In addition the judge required that those released not return to their homes for 10 days for "their own safety," that they surrender their travel documents, and that they report to a police station on a regular basis. Their cases remained pending at year's end (see Section 1.c.).

Police arrested numerous members of the opposition during the year; MDC leader Morgan Tsvangirai was arrested and detained twice during the year. On July 22, police and charged with public violence the MDC's secretary for health, Dr. Tichaona Mudzingwa, and several MDC youths who had been riding in a convoy that was attacked by ZANU-PF supporters (see Section 1.c.). Mudzingwa was released on bail after spending 1 night in detention. He was charged with public violence; however, in August a magistrate dismissed the charges for lack of evidence. On September 8 in Bulawayo, police arrested three bodyguards of MDC M.P. David Coltart during a mayoral election and confiscated their video camera and radios. The three were held for 2 days for possessing an "unlicensed two-way radio." Police raided their homes and confiscated their guns--although all of them were registered legally--and accused the three of possessing weapons of war. The MDC accused the police of arresting the three for trying to film ZANU-PF attempts to manipulate the election.

In November police arrested approximately 30 MDC members in connection with the killing of Bulawayo War Veterans Chairman Cain Nkala (see Section 1.a.); some of them were detained for weeks, and the bail hearings for several of the detainees repeatedly were delayed. Two detainees were charged with murder and remained in custody at year's end, six were released on bail after being charged as accessories to murder, and the remaining detainees were released without charge. The detainees included Fletcher Dulini-Ncube, M.P. and MDC Treasurer, who was arrested on November 19. A High Court judge, who was considered a supporter of the ruling party, repeatedly postponed bail hearings for Dulini-Ncube. On December 7, after 3 weeks in detention, Dulini-Ncube was denied bail and charged with conspiracy to commit murder. Dulini-Ncube appealed his case to the Supreme Court; on December 18, he was released on bail after almost 1 month of detention in a maximum security prison (see Section 1.c.).

On December 14, police detained Tsvangirai and questioned him for 4 hours about a two-way radio found at his residence in a police raid the previous day. On December 15, police again detained, questioned, and charged Tsvangirai with violating the Posts and Telecommunications Act for possessing an unlicensed radio. Tsvangirai was released, and no further action on the case was reported by year's end.

Police also arrested several journalists during the year (see Section 2.a.).

After forcibly dispersing protests, police arrested numerous protestors (see Section 2.b.). Some were charged with violence under the LOMA.

During food riots in October 2000, police detained at least 70 persons. No further information was available on their cases by year's end.

In May 2000, police arrested 20 MDC supporters who were preparing for a political rally. No further information was available on the case by year's end.

At the end of 1999, the Government reportedly was holding approximately 80 foreigners in Harare Remand Prison who had been there for between 2 months and 1 year without having been charged formally. Many of these detainees reportedly were persons from the DRC, who claimed to fear persecution by the Government of the DRC. The Government of Zimbabwe was supporting militarily the DRC against insurgent forces. No further information was available at year's end.

In 1999 military and civilian police detained and physically abused two journalists from The Standard and charged them with violating Section 50 of the LOMA (see Sections 1.c. and 2.a.). In a 2000 decision, the Supreme Court ruled that the section of the LOMA under which the journalists were arrested was unconstitutional. However, at year's end, the journalists' suit for their alleged mistreatment was pending (see Section 2.a.).

The Constitution prohibits forced exile, and the Government does not use forced exile; however, a number of persons left the country to escape repression and remained in self-imposed exile at year's end. For example, during the year, Nkosana Moyo, former Minister of Industry and International Trade, sent his family outside the country before submitting his resignation in May; he also promptly departed to take a position outside the country.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and in practice the judiciary remained largely independent despite government attempts to dilute its independence; however, the Government repeatedly refused to abide by judicial decisions. In addition numerous government officials, including the Justice Minister and the Minister for Information and Publicity, repeatedly called for the resignation of justices whose rulings were not consistent with the policies of the executive branch, and officials criticized the judiciary for these rulings. During the year, the Chief Justice was coerced into retiring early, and a number of High Court judges resigned or retired early after being subjected to intensive government pressure and intimidation. In March the International Bar Association conducted an investigative visit to the country; in its subsequent report, it criticized the intimidation of judges and the forced retirement of the Chief Justice.

The law provides for a unitary court system, consisting of headmen's courts, chiefs' courts, magistrates' courts, the High Court, and the Supreme Court. Civil and customary law cases may be heard at all levels of the judiciary, including the Supreme Court.

Judges are appointed to serve until the age of 65 and may extend their terms until the age of 70 if they remain in good physical and mental health. The Constitution provides that they may be removed from the bench only

for gross misconduct, and that they cannot be discharged or transferred for political reasons; however, during the year, judges were coerced or threatened by the Government into resigning. In March Justice Minister Patrick Chinamasa announced after meeting with Chief Justice Anthony Gubbay that Gubbay would retire early on June 30, 9 months before he reached the mandatory retirement age of 70. The meeting with Chinamasa followed a January 22 conversation between Gubbay and Vice-President Muzenda during which Gubbay threatened to resign after Muzenda dismissed the Chief Justice's request for protection against threats by suspected war veterans and ZANU-PF supporters. Chinamasa subsequently informed Gubbay in their meeting that he had been sent to accept Gubbay's resignation. In May High Court Judge James Devittie unexpectedly announced his resignation shortly after ruling against ZANU-PF in three out of four election petitions submitted by the MDC. Judge Ismael Chatikobo, who in 2000 had ordered the Government to return seized equipment belonging to a fledgling independent radio station, resigned in June, and Judge Michael Gillespie resigned in August. On December 31, Judge David Bartlett also unexpectedly resigned from the High Court.

During the year, President Mugabe appointed three additional Supreme Court judges, bringing the total number to eight. The Government stated that the additional appointments were necessary to handle an increase in workload; however, some members of the legal community criticized the action as an attempt by Mugabe to pack the court. Magistrates, who are part of the civil service rather than the judiciary, hear the vast majority of cases and sometimes are subject to political pressure. Military courts deal with disciplinary or court-martial proceedings. Police courts, which can sentence a police officer to confinement in a camp or demotion, handle disciplinary and misconduct cases. Trials in both these latter courts generally meet internationally accepted standards for fair trials. Defendants in these courts have the right to appeal to the Supreme Court. All levels of the judiciary often make rulings disliked by the Government.

The Constitution provides for the right to a fair trial, and the judiciary rigorously enforces this right. Every defendant has the right to a lawyer of his choosing; however, well over 90 percent of defendants in magistrates' courts do not have legal representation. In criminal cases, an indigent defendant may apply to have the Government provide an attorney, but this is done rarely and granted rarely. However, in capital cases, the Government provides an attorney for all defendants unable to afford one. Litigants in civil cases can request legal assistance from the NGO Legal Resources Foundation. All litigants are represented in the High Court. The Supreme Court has instructed magistrates to ensure that unrepresented defendants fully understand their rights and to weigh any mitigating circumstances in criminal cases, whether or not the accused presents them as part of his defense.

The right to appeal exists in all cases and is automatic in cases in which the death penalty is imposed. Trials are open to the public except in certain security cases. Defendants enjoy a presumption of innocence, the right to present witnesses, and the right to question witnesses against them. Defendants and their attorneys generally have access to government-held evidence relevant to their cases. The legal system generally does not discriminate against women or minorities. However, some High Court judges imposed lenient sentences in some cases of rape and child sexual abuse, and local women's and legal organizations challenged these decisions.

The Government continued routinely to delay payment of court costs or judgments awarded against it.

Members of the ruling party and the Government increasingly were dissatisfied with the judiciary, which often ruled against the ZANU-PF and the Government. On January 31, the Supreme Court overturned as unconstitutional President Mugabe's decree prohibiting the nullification of the election of any M.P. The ruling allows the High Court to hear challenges to the results in 38 constituencies--all but 2 of them submitted by the MDC--in the 2000 parliamentary elections (see Section 3).

In November 2000, the Supreme Court ruled unanimously that the Government's land resettlement policy violated constitutional rights to property and protection from arbitrary search and entry and ordered a halt to the occupations (see Section 1.f.). In November 2000, the Justice Minister warned the courts not to oppose the Government's land program (see Section 1.f.). In December 2000, the Supreme Court ruled in a case filed by the Commercial Farmers Union that commercial farmers and their workers had been denied protection of the law and that the Government's fast-track land acquisition program infringed upon their rights and was unconstitutional. The ruling gave the Government until July 1 to establish a legal land reform program. War veterans raided the Supreme Court building to protest the Court's rulings against the Government's land resettlement policies. In December 2000, war veterans threatened to attack justices in their homes if they did not resign within 2 weeks; no such attacks occurred.

On October 2, a newly constituted Supreme Court, with justices considered more sympathetic to the ruling party, granted the Government an interim relief order that allowed it to proceed with its controversial land acquisition program. Between 85 and 90 percent of white-owned large-scale commercial farms were designated by the Government for compulsory acquisition, and approximately 1,250 farms of an estimated

total of 4,000 remained occupied at year's end, with most of those facing serious work disruptions or stoppages. On December 2, in a widely criticized four to one ruling, the Supreme Court ruled that the Government's land acquisition and reform program was constitutional and was being implemented legally.

During the year, the Government and police again routinely failed to abide by court decisions ordering the removal of war veterans and other squatters residing on commercial farms. In April and May, the Government failed to abide by two High Court rulings requiring that police officials remove war veterans and other squatters trespassing on commercial farms. In May 2000, the High Court ordered an end to the occupation of 500 farms by war veterans and other ZANU-PF supporters; however, the order was not implemented. The High Court also brought contempt of court proceedings against National Liberation War Veterans Association leader Chenjerai Hunzvi for failing to remove his followers from occupied farm properties. Hunzvi, along with the Government, had been ordered to remove thousands of squatters from 1,000 occupied farms. Hunzvi was found guilty of contempt of court and received a commuted 3-month prison sentence. In August and September 2000, police removed approximately 100 squatters and war veterans from farms near Harare; however, the Government stopped the expulsions after the police actions were publicized.

In October 2000, President Mugabe issued a presidential decree granting a general amnesty for politically motivated crimes that occurred between January 1 and July 31, 2000. The pardon excluded the offenses of murder, robbery, rape, sexual assault, theft, and possession of arms, but did not exclude the charges of common assault and assault with the intent to commit grievous bodily harm. The pardon permitted the immediate release of prisoners convicted of the latter two offenses. The amnesty protects nearly all the agents of the political violence campaign that preceded the 2000 parliamentary elections and effectively prevents any criminal prosecutions against them. The amnesty was criticized widely by domestic and international human rights groups. Amnesty International expressed concern that it would encourage further violence in the run-up to the presidential elections in 2002.

The Government repeatedly has amended the Constitution in response to judicial rulings protective of human rights. Amendments to the Constitution are not ratified by the public but are subject only to the ZANU-PF-dominated Parliament's approval.

There were no reports of political prisoners held for sustained periods, although opposition leaders and supporters were detained frequently for several days at a time (see Section 1.d.).

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits these abuses; however, security forces searched homes and offices without warrants, and the Government is believed to monitor some private correspondence and telephones, particularly international communications. In 2000 Parliament passed the Postal and Telecommunications Act that permits the Government to monitor and intercept e-mails entering and leaving the country.

In February security force officers reportedly threatened British Broadcasting Corporation (BBC) correspondent Joseph Winter while they conducted a midnight search of his home (see Section 2.a.).

In early July, police entered a Harare office of the MDC without a warrant and detained several officials for 4 hours, but they did not disclose the purpose of their visit (see Section 1.d.).

On September 3, the MDC parliamentary candidate for the Bindura by-election, Elliot Pfebve, accused the CIO of repeatedly breaking into his business office and stealing documents related to the MDC's electoral strategies.

In 2000 police raided MDC party headquarters, detained some MDC officials, and removed documents (see Section 1.d.). The High Court ruled that the search of the offices and seizure of documents was illegal, and the police returned the seized documents.

Police periodically conducted house-to-house searches in the suburbs of Harare and Bulawayo during the year.

Unlike in the previous year, police did not search the MDC party headquarters; however, war veterans attempted without success to enter forcibly the building on one occasion.

ZANU-PF supporters and war veterans also attacked and destroyed the homes of opposition supporters and commercial farmers. For example, in June William Madzimore, the MDC M.P. for the Harare suburb of

Kambuzuma, was attacked in his home on two occasions. On June 21, a group of ZANU-PF youths threw stones at his house. On June 23, approximately 200 persons, many of them wearing ZANU-PF shirts, destroyed his house and its contents; several persons were injured (see Section 1.c.).

After fighting broke out on August 6 between commercial farmers and land occupiers near Chinhoyi, hundreds of ZANU-PF supporters embarked on a campaign of looting and burning farmhouses, destroying crops, livestock, and farming equipment, and forced 60 farmers and their families--approximately 300 persons--to flee the area. Many of the farmhouses were uninhabitable after the roofs were destroyed and door and window frames were removed. Many farmers who refused to assist the looters were beaten. There were credible reports of police involvement in the looting (see Section 2.d.). Most of the farmers returned to their homes, but some chose to remain in Harare.

The Government claims that white farmers occupy 70 percent of the country's most productive land. The Commercial Farmers Union disputes that figure, contending that members of the white minority own only 20 percent of the country's best farmland, while the Government owns most of the remainder. There is widespread public support for land reform; however, there are problems with implementation of the Land Acquisition Act (Land Act). Under the Land Act, farmers whose lands have been designated for acquisition and redistribution by the Government may appeal only the amount of compensation, not the initial decision to acquire their farms. Shortly after the 2000 referendum that defeated the proposed constitution that would have permitted land seizures, war veterans, with government support, began occupying commercial farms and assaulted and intimidated farm workers and the predominately white farm owners.

In April 2000, Parliament passed a constitutional amendment permitting the seizure of land without compensation. In May 2000, President Mugabe, using extraordinary presidential powers, amended the Land Act to bring it into conformity with this amendment. In June 2000, the Government designated 841 farms for compulsory acquisition, giving those farm owners 1 month to appeal. After the 2000 elections, the Government began a fast-track resettlement program in an ostensible effort to settle historical inequities in land ownership quickly. All or portions of 1,250 commercial farms remained occupied by war veterans, ZANU-PF supporters, and other squatters who built homes and planted crops on the land. Intimidation and work stoppages occurred daily for commercial farmers and farm workers. In November 2000, the Supreme Court ruled that the land occupations violated constitutional private property rights and protection from arbitrary search and entry and issued a consent decree whereby the Government and the CFU agreed that the Government would halt its land resettlement activities and evict squatters from occupied land; however, the Government had not complied with the agreement by year's end (see Section 1.e.).

On November 30, President Mugabe amended the Land Act by decree to permit the immediate government seizure of all commercial farming land. The decree requires all farm owners who have received government acquisition notices to halt farming activities immediately and leave their homes within 90 days. Approximately 1,000 of the 4,000 commercial farmers in the country had received such notices by year's end. The December 2 Supreme Court ruling effectively removed legal recourses available to commercial farmers (see Section 1.e.). In December there were reports that government ministers, ZANU-PF members, and civil servants, including the national Police Commissioner, forced families to leave their homes and seized their farming properties.

On December 28, the High Court ruled that Guy Watson-Smith, a farmer, was allowed to retrieve machinery, animals, and other personal property from his farm, which reportedly was seized in December by former army chief Solomon Mujuru and local civil servants.

ZANU-PF members forcibly evicted farm workers from their houses. For example, in July and August, war veterans and farm occupiers evicted 14 farmers and approximately 3,000 farm workers and their families in the Hwedza district of Mashonaland East province; many of the evicted farm workers remained displaced at year's end (see Section 2.d.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of expression but legislation limits this freedom in the "interest of defense, public safety, public order, state economic interests, public morality, and public health," and the Government restricted this right in practice. Security forces arbitrarily detained journalists and refused to investigate or punish security force members who tortured journalists and opposition members. Security forces and ZANU-PF supporters harassed, intimidated, and beat journalists. Journalists practiced self-censorship.

The Government restricted freedom of speech, particularly by opposition members and supporters and those making public comments critical of President Mugabe. Sections 44 and 50 of the LOMA criminalize and allow the Government to suppress the publication of any "subversive" statement or "a false story likely to cause alarm and despondency." An extremely broad Official Secrets Act makes it a crime to divulge any information acquired in the course of official duties. In addition antidefamation laws criminalize libel of both public and private persons. In December several bills were introduced in Parliament that would place stringent government controls on journalists and the media. The revised POSB would criminalize "the publishing or communicating [of] false statements prejudicial to the State." The Access to Information and Protection of Privacy Bill would give the Government broad powers over the media by creating a government-appointed Media and Information Commission, which would control the accreditation process for journalists, regulate registration, and restrict ownership of media outlets. The bills were scheduled for parliamentary debate in early 2002.

On February 15, MDC President Tsvangirai was charged under the LOMA with inciting violence for allegedly stating at a public rally in 2000 that President Mugabe would be removed violently if he did not choose to leave office peacefully. Tsvangirai filed a petition with the Supreme Court to challenge the constitutionality of the LOMA; Tsvangirai's attorney argued that the LOMA limits his freedom of political expression. On November 20, the Supreme Court struck down two sections of the LOMA in the case, effectively dismissing the charges.

On February 23, MDC M.P. Peter Nyoni and two other MDC officials were charged under the LOMA with making statements "likely to undermine the authority of the President." Nyoni allegedly told MDC supporters at a political meeting that "Mugabe must go" and that security forces were being used to kill political opponents. Nyoni was released on bail, and his trial was pending at year's end.

On June 25, police arrested Dirk Wouter du Ploy, a garage manager, and charged him with breaching the LOMA after he allegedly made comments critical of President Mugabe. On August 2, Wouter du Ploy was granted bail, and his trial was pending at year's end.

In a number of rural areas, war veterans and other ZANU-PF supporters conducted pungwes, in which they forced villagers to chant ZANU-PF slogans or denounce the opposition (see Section 1.c.).

Several major daily newspapers and one local-language tabloid belong to the Mass Media Trust (MMT), a holding company heavily influenced by the ZANU-PF. The Government, through the MMT, controls two daily newspapers, The Chronicle and the Herald. The news coverage in these newspapers generally focused on the activities of government officials, neglected opposition parties and other antigovernment groups, and also downplayed events or information that reflected adversely on the Government. The government-controlled media often portrayed favorably President Mugabe and the Government. On November 10, Jonathan Moyo, Minister for Information and Publicity in the President's Office, announced the dissolution of the MMT board and its replacement by a new board, which reportedly was more sympathetic to ZANU-PF. The Minister also controls the Zimbabwe Inter-Africa News Agency wire service.

The independent press continued to operate despite frequent attacks and intense pressure from the Government. In addition to the Daily News, an independent newspaper, which has the nation's largest circulation, there are three major weeklies (The Financial Gazette, The Independent, and The Standard), and three monthlies. The major independent newspapers continued to monitor government policies and open their pages to opposition critics, but most of them also continued to exercise some self-censorship in reporting due to growing government intimidation of the press and the continuing prospect of prosecution under criminal libel and security laws.

The NCA accused the government-influenced newspaper The Chronicle and the Zimbabwe Broadcasting Corporation (ZBC) of refusing to publish previously accepted advertising from the NCA about its proposed constitutional process due to government orders to ban the NCA from disseminating its alternative message on the constitutional process. After the NCA took the ZBC to court in 2000, the judge ordered ZBC to carry the NCA's advertisements; the ZBC responded by carrying the advertisements in late night timeslots that had few listeners.

The Government increasingly was intolerant, especially of reports perceived to be critical of the security forces. The Government tolerated private media criticism of official corruption; however, corruption was not a major focus of the private media during the year. The Government arrested and prosecuted editors and journalists who contributed to published stories critical of government policies or security force operations; however, the Government did not censor directly the independent media.

On January 28, an explosion destroyed the printing press facility of the Daily News. The Daily News continued to operate using a combination of private and government-owned printers; it was unable to replace its presses

by year's end and continued to print using contract services. There was a police investigation, but no arrests were made by year's end. Most observers believe that the Government or ruling party was responsible due to the professional nature of the operation. Several days before the explosion, Minister Moyo told Sandra Nyaira, a political reporter for the Daily News, that "The Daily News is not going to survive as long as I am alive. You ain't seen nothing yet." In addition the government controlled The Herald printed an opinion piece by Minister Moyo shortly before the bombing in which he described The Daily News as a threat to the country.

On April 4, Geoff Nyarota, the editor-in-chief of the Daily News, and two Daily News reporters were charged with criminal defamation for publishing articles in 2000 that alleged that a private company bribed senior government officials. On November 16, the case was dismissed for lack of evidence; the judge ruled that the police made the arrest without reasonable cause. On August 15, police arrested and detained for 12 to 18 hours three editors, including Nyarota and one reporter from the Daily News; they were charged with criminal defamation for publishing a story the previous day that linked police vehicles to the looting of commercial farms in the Chinohyi area (see Sections 1.d. and 1.f.). The four were released on bail, and no trial date was scheduled by year's end. On November 8, police again arrested, detained, and interrogated Nyarota and his former business partner, reportedly for violating investment and exchange control regulations relating to the operating license for the newspaper; they were released on bail on November 9, and there was no further action on the case by year's end. In 2000 Nyarota received a letter from an unknown organization threatening him if the newspaper did not desist from publishing articles critical of the Government and President Mugabe in particular.

On July 3, police arrested three journalists reportedly for photographing the police beating of workers who were participating in a 2-day national strike (see Section 6.a.). On July 4, the journalists were released because the Attorney General did not press charges.

On August 21, police detained and questioned two journalists from the weekly newspaper The Mirror about a report that alleged police complicity in the looting in the Chinohyi area (see Section 1.f.); the journalists were charged with "publishing subversive statements." No further information was available on the case at year's end.

On August 22, police arrested and questioned Mark Chavunduka, editor of the independent weekly The Standard about an article that alleged that President Mugabe is haunted by the ghost of a former political opponent, which The Standard reprinted from a foreign newspaper. Chavunduka was released, and no charges were brought against him by year's end.

On September 8, during a mayoral election, police reportedly arrested and detained for 1 hour two journalists from the Daily News and Independent newspapers for "trespassing" at Bulawayo's central police station. The two had gone to the police station to inquire about three MDC bodyguards who were arrested earlier that day (see Section 1.d.).

On December 3, police arrested two Daily News reporters in Bulawayo in connection with the killing of Cain Nkala (see Section 1.a.); the two reporters later were released without charge.

In 2000 authorities arrested the publisher of the independent newspaper, The Standard, and two of its journalists on charges of criminal defamation after The Standard published an article accusing the Government of printing the draft constitution without incorporating all of the public's views before the final adoption. Authorities also arrested a former editor and a reporter in connection with the article from The Standard.

In 2000 Bernard Masara confessed to the editorial staff of The Daily News that he had been hired by the CIO to kill the editor. Masara had not been arrested or charged by year's end.

In 1999 military and civilian police detained, tortured, beat, and otherwise abused two journalists from The Standard, Mark Chavunduka and Ray Choto, who reported in a story that 23 army officers were arrested in connection with a planned military coup. In January 2000, the Government charged the two journalists under Section 50 of the LOMA with "publishing a false story likely to cause alarm or despondency." The two journalists subsequently filed suit against members of the security forces for damages to compensate them for the torture and illegal detention and challenged the constitutionality of the LOMA. In a landmark decision in April 2000, the Supreme Court ruled that the section of the LOMA under which the journalists were arrested was unconstitutional. However, the journalists' suit for their mistreatment remained pending at year's end.

In 1999 in Harare, an army sergeant based at Cranborne Barracks reportedly seized and publicly burned 16 copies of The Standard; the sergeant also reportedly threatened to kill the vendor if he continued to sell the newspaper. The lead story in the burned issue concerned the construction of a new mansion for President

Mugabe. In February 2000, a police spokesperson stated that the police would charge the sergeant with malicious injury to property.

During the year, war veterans and other ZANU-PF supporters continued to harass, intimidate, and abuse journalists considered to be sympathetic to the opposition. On January 23, war veterans and other ZANU-PF supporters raided the Harare offices of the Daily News for several hours, harassing and assaulting Daily News reporters and staff who entered or exited the building, beating passers-by who failed to chant ZANU-PF slogans, and destroying property. They accused the newspaper of publishing articles demeaning former DRC President Laurent Kabila, who had been assassinated 1 week earlier. No action was taken in the case by year's end.

On May 12, ZANU-PF supporters beat a Daily News reporter after he attempted to report on a political meeting in Gweru. The assailants accused the reporter of working for a newspaper that criticized the Government. Although the police were present during the beating, no action was taken against those responsible.

On August 27, ruling party supporters beat Daily News reporter Mduduzi Mathuthu with wooden clubs when he visited a farm 31 miles from Bulawayo to report on its occupation by war veterans. The farm occupiers reportedly accused Mathuthu of reporting critically on the government-sponsored land resettlement program.

On September 17, in Hwedza, a town 87 miles south of Harare, war veterans and land occupiers severely beat with chains and other weapons three journalists and one driver from the Daily News. The journalists were reporting on the beatings of farm workers and the burning of their homes in the area; the attack resulted in injuries to the journalists' faces and limbs that required medical treatment. The Media Institute of Southern Africa criticized the attack as the "worst assault to date on journalists."

On December 3, ZANU-PF supporters attacked the Daily News office in Harare and beat a photographer who was trying to film the attack.

In 2000 a Daily News journalist, a photographer, and a driver, were detained, threatened, and forced to remove their clothes and chant ZANU-PF slogans. In 2000 Chengetai Zvauya, a reporter for The Standard, was detained and assaulted by war veterans at ZANU-PF headquarters. In 2000 war veterans reportedly singled out journalists for attack during a counter demonstration against a NCA peace march. No action was taken against the perpetrators by year's end.

In 2000 war veterans beat and abducted a journalist for The Independent newspaper, a foreign journalist, and her cameraman, in Mutoko district. The police rescued the kidnaped journalists within a few hours of the abduction; no charges had been filed or arrests made in the case by year's end.

In 2000 a bomb exploded in an art gallery directly below the offices of The Daily News. An Associated Press photographer was arrested in connection with the bombing. He later was released, and no charges were filed against him.

Radio remained the most important medium of public communication, especially for the majority of the population living in rural areas. The Government continued to control all domestic radio broadcasting stations through the state-owned ZBC, supervised by the Minister for Information and Publicity in the President's Office. There were credible reports that the Minister routinely reviewed ZBC news and repeatedly excised reports on the activities of groups and organizations opposed to or critical of the Government, including antigovernment demonstrations and the ZCTU.

In 2000 the Supreme Court declared that the Government's broadcasting monopoly was unconstitutional. Capital Radio, a private radio station, began broadcasting after the Supreme Court decision. On October 4, 2000, police shut down Capital Radio and seized its equipment, despite the issuance of a High Court decision earlier in the day barring the seizure. On October 5, 2000, the High Court ordered the return of equipment and the cancellation of the arrest warrants and directed the Government to issue a license to Capital Radio within 10 days. The Government returned most of Capital Radio's equipment but did not issue a license. On the same day, President Mugabe issued temporary commercial broadcasting regulations that make the Minister of Information and Publicity the final authority in issuing and denying broadcasting licenses. The Government claimed that the new broadcasting regulations rendered the court order nonbinding. In October 2000, the legal committee of Parliament, in a nonbinding resolution, declared the new regulations unconstitutional. At year's end, Capital Radio was awaiting Parliament's final report on the regulations before proceeding with a planned appeal to the Supreme Court.

Early in the year, ZANU-PF sponsored the Broadcasting Services Bill to replace the temporary regulations. On

March 7, Parliament's legal committee found the bill to be unconstitutional; however, the Government forced the bill through Parliament in April, and it became law in July. The Broadcasting Services Act allows for one independent radio broadcaster and one independent television broadcaster, but requires them to broadcast with a government-controlled signal carrier. Under the Act, the Minister of Information remains the final authority in issuing and revoking broadcasting licenses. Legal rights groups criticized the Act for: Restricting broadcasting employees to citizens who are resident in country; requiring 80 percent locally-produced content; setting aside free air time for the Government to "explain its policies;" and establishing a journalistic code of conduct that potentially limits free speech.

The Government effectively controlled, although the State no longer owned, all domestic television broadcasting stations. The ZBC, under the supervision of the Minister of Information and Publicity, owns and operates television broadcasting facilities. Following a Supreme Court ruling in 1999 that the Government's monopoly on telecommunications was unconstitutional because it interfered with the right to freedom of expression, the Government for the first time granted a broadcasting license to a private television station, Joy Television (Joy TV). President Mugabe's nephew, Leo Mugabe, reportedly has financial ties to Joy TV, and the ZBC reportedly exercises some editorial control over Joy TV's programming. Joy TV remained the only privately licensed television station, and it was restricted to broadcasting on an available channel that was leased from the ZBC because the Broadcasting Act restricts the creation of an independent transmission facility. Joy TV is not permitted to broadcast local news or current affairs programming; however, it does broadcast BBC news reports. International television broadcasts were available freely through private satellite firms, although the requirement that payment must be made exclusively in foreign currency made it increasingly unaffordable for most citizens.

On June 4, the Minister of Information reportedly ordered a call-in television show on ZBC to be banned after only 3 of 25 planned shows were broadcast. The Government did not provide a reason for the cancellation; however, many observers believe the primary reason was that callers to the show criticized the Government.

The Government imposed more stringent restrictions on foreign journalists by requiring them to apply for accreditation 1 month in advance of their arrival in the country. The Government expelled foreign journalists who it perceived to be portraying the country negatively. In February the Government deported two foreign journalists, BBC correspondent Joseph Winter and Mail and Guardian reporter Mercedes Sayagues. Security force officers reportedly threatened Winter while they conducted a midnight search of his home; he was given 24 hours to leave the country in violation of a court order that allowed him 1 week to depart. Two other foreign correspondents were forced to leave the country after the Government refused to renew their work permits. On July 31, Minister of Information Moyo suspended the press credentials of three BBC reporters on the grounds that the BBC allegedly "distorted" President Mugabe's July 24 opening speech to Parliament. The three reporters are citizens or permanent residents of the country and cannot be expelled; however, they were prohibited from reporting on events in the country. Foreign correspondents were denied visas during the year.

Books and films are subject to review by the Zimbabwe Board of Censors. The Board banned at least 10 films in recent years.

The Government does not restrict access to the Internet. During the year, there were many privately owned domestic Internet service providers (ISP's). However, the law permits the Government to monitor all international e-mail messages entering and leaving the country (see Section 1.f.). The security services reportedly have used this authority to monitor e-mail communication, although the extent of this monitoring was unknown.

The Government restricts academic freedom. The UZ Amendment Act and the National Council for Higher Education Act restricts the independence of universities, making them subject to government influence, and extends the disciplinary powers of the university authorities against staff and students. The Ministry of Higher Education and Technology controls the UZ and appoints its Chancellor and Vice Chancellors; the Ministry also appoints the Dean of Faculty, and most members of the University Council. During the year, a number of students were brought before a disciplinary committee for allegedly being MDC members, and faculty members reportedly were denied promotions allegedly for supporting the MDC.

In April police dispersed forcibly students during protests at the UZ, which resulted in numerous injuries and one death (see Section 2.b.).

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of assembly; however, the Government restricted this right in practice. The Government enforced laws that restrict this right, including the LOMA, and repeatedly used force to break up nonviolent demonstrations by its critics. Permits are not required for meetings or processions; however, the

police continued to require that groups obtain permits for marches or demonstrations. Although most groups that conducted marches did not seek permits, some groups informed the police of their planned demonstrations. In December the Government introduced in Parliament the POSB, which would give police broad powers to restrict or prohibit public gatherings (see Sections 1.d. and 2.a.). The bill was criticized widely by media and civil society groups.

On January 10, police dispersed a demonstration of local residents in Kadoma who were protesting against the town council's failure to consult them on the town budget (see Section 1.c.).

On February 2, police dispersed 100 MDC youths gathered in central Harare to protest government policies in the country. Police reportedly chased and beat fleeing protesters with batons and arrested several demonstrators.

On February 3, 250 riot police were deployed to prevent a demonstration by approximately 100 journalists who planned to protest government attacks against the media. Journalist leaders cancelled the demonstration after they observed the deployment of riot police (see Section 2.a.).

On February 4, in a bar in the Harare township of Guzha, soldiers beat Izabel Katuruza and accused her and other persons of holding an MDC meeting. She was injured above her right eye, and her left hand was fractured. Katuruza filed a complaint at a nearby police station, and a civil suit was pending at year's end.

On February 25, police dispersed a meeting of several dozen MDC supporters at a Chitungwiza shopping center. Police reportedly beat and used tear gas on the supporters and arrested one MDC supporter.

On March 4, riot police beat and dispersed hundreds of residents of Chitungwiza who had gathered to attend the official opening of a flea market. MDC President Tsvangirai, accompanied by an MDC M.P., was scheduled to address the gathering. Police reportedly followed fleeing persons into supermarkets to club them and beat commuters disembarking from a bus at a nearby bus stand. The police then issued a ban on all MDC meetings in Chitungwiza. The High Court overturned the ban as a violation of freedom of expression, and on March 25, Tsvangirai addressed a rescheduled ceremony in Chitungwiza. Police were deployed in large numbers, reportedly to discourage attendance; however, they did not break up the meeting.

During student protests at the UZ on April 8 and 9, police reportedly used tear gas and shot at students; one student was killed and numerous others were injured (see Section 1.a.). Twenty students were hospitalized for injuries. Police arrested and charged 44 students with inciting violence under the LOMA. There was no further information available on the case by year's end.

On April 18, riot police used tear gas to disperse forcibly persons who were gathered for a rally in Glen Norah. Police reportedly beat persons, which resulted in several injuries.

On May 1, war veterans and ZANU-PF supporters disrupted a May Day celebration by the ZCTU in Harare. Riot police interceded to prevent a violent clash between the two groups.

On November 20, police in Harare dispersed a small demonstration by the NCA while allowing a crowd of 150 war veterans to harass passers-by on the streets. On November 27, police forcibly dispersed a demonstration by the NCA to protest proposed changes in the Electoral Law; 36 persons were arrested, including the NCA chairman (see Section 1.c.).

No action reportedly was taken against the war veterans and riot police who violently disrupted a peace march in central Harare organized by the NCA in 2000. The war veterans and ZANU-PF youth supporters marched from ZANU-PF headquarters in a counter demonstration and attacked the NCA marchers while police fired tear gas into the crowd. At least 12 persons, including one British journalist and innocent bystanders, were injured seriously. The police ultimately disarmed the war veterans and other attackers, but did not arrest or charge them. Five NCA marchers were arrested for disobeying police orders to disperse. The Minister of Home Affairs blamed the NCA marchers for organizing a demonstration at the same time and place as the war veterans.

No action was taken against the members of the security forces who used excessive force to disperse demonstrations or rallies on the following dates in 2000: October 16 to 18; October 12; October 9; June 28; May 13; May 7; and in July.

The Constitution provides for freedom of association for political and nonpolitical organizations, including a

broad spectrum of economic, social, and professional groups, and the Government generally respected this right in practice. However, ZANU-PF supporters, supplied with government vehicles and money, killed, tortured, beat, and otherwise abused persons perceived to be political opponents (see Sections 1.a., 1.c., and 1.f.).

The formation of unions and political parties is not restricted.

Organizations generally are free of governmental interference as long as their activities are viewed as nonpolitical. In the 1990's, the Supreme Court ruled unconstitutional sections of the PVO Act, which had allowed the Government to suspend the executive bodies of organizations (see Section 4).

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, a law that criminalizes both purporting to practice witchcraft and accusing persons of practicing witchcraft reportedly was viewed as restrictive by some practitioners of indigenous religions.

The Government does not require religious institutions to be registered. However, religious organizations that run schools or medical facilities must register those specific institutions with the appropriate ministry involved in regulating those areas. Similarly, religious institutions may apply for tax-exempt status and duty-free privileges with the Customs Department, which generally grants such requests.

Witchcraft--widely understood to encompass attempts to harm others not only by magic but also by covert means of established efficacy such as poisons--traditionally has been a common explanation for diseases of which the causes were unknown. Although traditional indigenous religions generally include or accommodate belief in the efficacy of witchcraft, they generally approve of harmful witchcraft only for defensive or retaliatory purposes and purport to offer protection against it. In recent years, interest in healing through traditional religion and through prayer reportedly has increased as HIV/AIDS has infected approximately one-third of the adult population, and affordable science-based medicines effective in treating HIV/AIDS have remained very difficult to obtain.

The Witchcraft Suppression Act (WSA) criminalizes purporting to practice witchcraft, accusing persons of practicing witchcraft, hunting witches, and soliciting persons to name witches; penalties include imprisonment for up to 7 years. The law defines witchcraft as "the use of charms and any other means or devices adopted in the practice of sorcery," and provides punishments for intending to cause disease or injury to any person or animal through the use of witchcraft. Since 1997 the Zimbabwe National African Traditional Healers' Association (ZINATHA) has proposed amendments to the 1989 revised law that would redefine witchcraft only as the practice of sorcery with the intent to cause harm, including illness, injury, or death; however, such legislation reportedly has been opposed by mainstream Christian churches. Human rights groups also generally supported the existing WSA, which has been used particularly to protect persons, primarily women, who have been accused falsely of causing harm to persons or crops in rural areas where traditional religious practices are strong.

There is some tension between the Government and some of the indigenous African churches because of the latter's preference for prayer over medical practices that result in the reduction of avoidable childhood diseases and deaths. Some members of the indigenous churches believe in healing through prayer only and refuse to have their children vaccinated or treated. The Ministry of Health has had limited success in vaccinating children in these religious communities against communicable childhood diseases. Human rights activists also have criticized these indigenous churches for their sanctioning of marriages for underage girls.

President Mugabe has expressed skepticism about the increasing membership in evangelical and indigenous churches and has indicated that he believes they could be subversive.

In March authorities ordered Paul Andrianatos, an Anglican priest with South African citizenship, to leave the country days after he had made antigovernment remarks at the funeral of white farmer Gloria Olds (see Section 1.a.). Andrianatos had presided over the funeral of Olds' son Martin, who also was killed by alleged ZANU-PF supporters in April 2000.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government at times restricted them in practice.

During the year, police routinely erected armed roadblocks in and around cities and rural districts scheduled to hold local elections. Police claimed that they were looking for criminals and illegal weapons, but legal rights groups asserted that it was a measure designed to discourage or limit opposition campaigning in the electoral areas. In March 1999, police instituted a system of roadblocks to apprehend suspected criminals, known as "Operation Hokoyo" that continued to be implemented periodically in 2000. During the year, the Government continued to set up roadblocks periodically within cities and in suburban areas, ostensibly to control criminal activities. In rural areas, police and ZANU-PF supporters set up roadblocks to screen vehicles for known opposition supporters and to turn away persons who did not have ZANU-PF party cards.

On February 15, the Minister of Information and Publicity threatened that the Government would revoke the passports of citizens whom it viewed as traveling overseas to promote sanctions or other interests allegedly harmful to the country; however, the Government did not take such action by year's end.

On July 6, President Mugabe signed an amendment to the Zimbabwe Citizenship Act, and the Home Affairs Ministry issued implementing regulations in July that require all dual national passport holders to renounce their foreign citizenship under the laws of the foreign country in order to retain their Zimbabwean citizenship. The amended Citizenship Act reduces the time to renounce foreign citizenship from 1 year to 6 months. According to the act, citizens who fail to abide by the regulations by January 7, 2002, will cease to be citizens, will be removed from the voter rolls, and will be unable to vote. The revised act also revokes the citizenship of persons who fail to return to the country in any 5-year period. Legal rights groups described the legislation and regulations as a government attempt to disenfranchise citizens, because of their perceived opposition leanings, as well as the country's more than 500,000 commercial farm workers, many of whom have origins in neighboring countries, and the approximately 30,000 mostly white dual nationals. Many persons with dual citizenship experienced difficulty complying with the regulations because many other countries do not provide procedures for repudiating citizenship.

In 2000 the Government ordered 26,000 British nationals with dual citizenship to surrender their Zimbabwe passports after President Mugabe declared them "enemies of the state." There were no similar statements made during the year.

The Government expelled foreign journalists it perceived to be portraying the country negatively (see Section 2.a.). Foreign correspondents were denied visas during the year.

According to the Amani Trust, approximately 70,000 persons were displaced internally during the year, an increase from the 10,000 who were displaced in 2000; however, the number of unreported cases likely is higher. The majority of internally displaced persons (IDP's) were women and children. Many IDP's were farmers and farm workers who were forced to flee with their families because of threats and assaults by war veterans and other ZANU-PF supporters (see Section 1.c.). Displaced farm workers reportedly were living by the roadside, in the bush, or on other farms, and some were arrested (see Section 1.d.). At year's end, in a single district, 2,000 farm workers were reported to be roaming the countryside in search of food and shelter. In most cases, the ZANU-PF supporters were farm squatters who ordered the farm workers to leave so that they could plant their own crops on the property. Other IDP's were persons, often teachers and civil servants, suspected by local officials of supporting the opposition, who were forced to leave their homes by government supporters. Often war veterans in local government positions applied pressure on local chiefs to order the expulsions of certain individuals. Approximately 250 IDP's were persons who testified before the High Court in the MDC's 36 electoral challenges; nearly all of whom testified that they were threatened or beaten by ruling party supporters (see Section 3). Other persons were displaced. In the 2 months prior to the July 28 to 29 by-election in Bindura, ZANU-PF supporters beat and tortured hundreds of opposition supporters (see Section 1.c.). Some IDP's relocated to live with relatives or friends in urban areas; however, many remained in rural areas without shelter or reliable sources of food. Since early 2000, the Government has condoned and even encouraged an environment of lawlessness that permits war veterans and other ruling party supporters to force opposition members and supporters from their homes without consequences for the perpetrators (see Sections 1.e. and 1.f.). In most cases, police are not permitted to intervene expeditiously. The Government does not provide assistance to IDP's, but it does allow humanitarian organizations to assist them. The Government does not attack or target IDP's, obstruct humanitarian assistance to them, or force their return to dangerous areas, but it generally does not promote their safety, safe return, or resettlement.

The law provides for the granting of refugee and asylee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government generally has cooperated with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government generally provides first asylum; according to UNHCR, 8,706 asylum seekers were granted refugee status during the year; however, 18 persons were denied first asylum during the year. Asylum seekers from more than 20 countries were granted refugee status; the largest groups consisted of 4,182 Congolese (DRC), 2,777 Rwandans, and 852 Burundians.

Some employers reportedly take advantage of illegal refugees for inexpensive labor (see Section 6.e.).

There were no reports during the year of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Although citizens have the legal right to change their government democratically, in practice the political process continued to be tilted heavily in favor of President Mugabe and his ZANU-PF party, which have ruled continuously since independence in 1980. The Government amended laws, proposed new legislation, and manipulated the electoral process to effectively disenfranchise voters during the year. Presidential elections were scheduled for March 2002.

The 16 constitutional amendments enacted since 1980 have increased greatly Mugabe's power relative to the legislature. Originally a prime minister elected by the Parliament, he has become a president directly elected by the population. Constitutional Amendment 9 authorizes the President to declare unilaterally a state of public emergency for a period of up to 14 days. Amendment 10 grants the President sole power to dissolve Parliament and to appoint or remove a vice president and any minister or deputy minister. Amendment 10 also allows the President to appoint 20 of the 150 M.P.'s, including 12 nonconstituency M.P.'s and 8 provincial governors who sit in Parliament. The President also exerts great influence on the process by which the country's chiefs (traditional rulers) select 10 of their number to sit as M.P.'s. All 30 of these M.P.'s have been consistent ZANU-PF members.

The legislature, which traditionally has been subordinate to the executive branch, has a viable opposition that called on the Government to be accountable and transparent. Parliamentary question time is used to force debate and disclosure. In October 2000, the MDC brought a motion to Parliament to impeach President Mugabe for violating the Constitution and for gross misconduct. In November 2000, the Speaker of Parliament appointed a special committee composed of eight ZANU-PF members and four MDC members to consider the charges outlined in the motion. Legal rights activists accused the Speaker of preventing the committee from meeting or holding hearings; the committee was inactive by year's end.

General parliamentary elections were held in June 2000 amid widespread voter intimidation and violence by the Government and ZANU-PF supporters and reports of vote-rigging and other irregularities. Although the election days generally were peaceful, the process leading up to it was neither free nor fair. The MDC captured 57 out of the 120 popularly elected seats. Thirty additional seats are reserved for presidential and tribal chief appointees, who are ZANU-PF supporters, which gave ZANU-PF a total of 92 seats; this total increased to 93 during the year.

In the period before the 2000 parliamentary elections, the Government, backed by security forces, implemented a systematic campaign of intimidation and physical violence against opposition supporters (see Sections 1.a. and 1.c.). The Government invoked the LOMA to bar the transportation of political supporters across constituencies, and police also used the LOMA to restrict public gatherings. In many districts, the campaign reportedly backfired, resulting in additional votes for the opposition, but in others voters stayed away from the polls due to fear of retribution. For example, there were reports that farm workers of non-Zimbabwean heritage were threatened with deportation if they voted against the ruling party.

In 2000 the Supreme Court nullified on procedural grounds approximately 6,000 absentee ballots sent by troops stationed in the DRC. The ruling followed widespread reports that the ballots had been distributed by ZANU-PF to districts where it faced narrow defeat by MDC candidates.

In 2000 the MDC filed petitions with the High Court challenging the electoral results in 36 parliamentary constituencies, stating that there was sufficient evidence of intimidation, vote-rigging, and other irregularities to warrant overturning the results of those constituencies. The ZANU-Ndonga opposition party initiated a case challenging the results in one constituency.

In 2000 President Mugabe amended the Electoral Act to prohibit the nullification of the election of any M.P. On January 31, the Supreme Court declared the President's decree unconstitutional, which allowed the High Court to hear parliamentary election challenges (see Section 1.e.). During the year, the High Court nullified the results in four constituencies, but upheld the results in four others. All eight cases were appealed to the Supreme Court by the respective parties; the cases still were under review at year's end. During the year, the MDC dropped 6 of its original 36 challenges. Witnesses who testified in the cases were threatened or beaten (see Section 1.c.). Police also frequently harassed individual MDC members after the 2000 elections (see Sections 1.c. and 2.d.).

In April 2000, Vice-President Msika announced that civil servants would not be permitted to act as election monitors in the parliamentary elections because they sympathized with the opposition. Civil servants have been the Government's traditional source for domestic election monitors. The MDC accused the Government of replacing the civil servants with its own supporters. In 2000 the Electoral Supervisory Commission (ESC) challenged in the High Court sections of the amended Electoral Act that reduces ESC authority to accredit international electoral monitors; the High Court took no action on the case by year's end.

International election observers repeatedly were denied accreditation by the Government, and most were not accredited until the last few days before the 2000 election as a result of frequent changes in the accreditation rules by the Government. The Government continued to erect obstacles to international observers during the year.

In September government officials refused to meet in the country with a two-person team from the International Foundation for Election Systems (IFES), an NGO, to lay the groundwork for an election observation effort in the run-up to the presidential election expected in 2002. The team was asked to leave early by the Government. In addition the Government denied permission for the visit of a team of election experts from the European Union in September, saying the group should wait until it was invited.

Government and ruling party supporters used tactics of intimidation and violence, with the aid of security forces, to manipulate the electoral process in four districts holding parliamentary by-elections and three cities holding mayoral elections during the year. ZANU-PF won all four by-elections, and the opposition MDC won the three mayoral elections. War veterans and security forces established base camps in Bikita West, Bindura, Makoni West, and Chikomba from which they reportedly beat and intimidated opposition supporters, in some cases reportedly with the assistance of security forces (see Section 1.c.). The ZANU-PF issued new party identification cards, and there were reports that war veterans targeted for abuse ZANU-PF members who were not carrying the new cards during the year. Observers also expressed general concern about a number of weaknesses and irregularities in the electoral process, including the lack of an independent electoral commission to oversee elections; the absence of a monitoring mechanism for the voter registration process; the consistent failure of election authorities to make the voters roll and supplementary rolls available for public inspection far enough in advance of the election; and the lack of voter education.

There are institutional problems with the management and supervision of elections, and the Electoral Supervisory Commission, the Elections Directorate, the Ministry of Justice, Legal and Parliamentary Affairs, and the Registrar-General's Office have overlapping mandates. Although the Ministry of Justice technically administers the Electoral Act, the Registrar General's Office falls under the Ministry of Home Affairs. With an insufficient budget and an overburdened staff seconded from the Ministry of Justice, the Electoral Supervisory Commission lacks the independence, institutional capacity, and resources to oversee all of the country's polling stations. Commissioners also lack authority to order the correction of irregularities. The voters' roll has been computerized, but it contains a large number of redundancies and errors, including misspellings, multiple entries, and names of deceased persons. These irregularities were highlighted during the 2000 parliamentary elections when deceased persons were recorded as casting votes for the ruling party. International observers cited the need to establish an independent electoral commission. The Government invested immense powers in the presidency through the Electoral Act, which institutionalized gerrymandering and fraudulent voters' rolls. The Government invoked the act shortly before the 2000 elections to redraw constituent boundaries in its favor and raise bureaucratic barriers to voter registration. Although most election observers agreed that the voting process itself generally was peaceful, 15 percent of voters were prevented from voting on election day on technical grounds or due to incomplete or inaccurate voters' rolls. Electoral officers did not operate in a fully open and transparent manner.

In December the MDC filed a High Court application challenging the Government's intention to require all voters to cast ballots in the 2002 presidential election in the constituency where they are registered. In previous presidential elections, voters were allowed to vote anywhere in the country. Legal rights groups argued that the new requirement would disenfranchise voters who were unable to travel to their home constituencies. On December 31, the High Court ordered the Registrar General to supply a copy of the entire voters' roll to the opposition for inspection; however, this did not occur by year's end.

In December the Government introduced the General Laws Amendment Bill in Parliament, which would substantially amend the Electoral Act. The bill would give the Registrar General the authority to amend the voters roll at will, repeal the provision for absentee ballots except for a limited exception, and effectively would prohibit mounting political posters in public areas. The bill was criticized widely by media and civil society groups and had not passed by year's end.

Since 1997 the NCA, an umbrella organization comprising most of the country's important civil society groups, has advocated the creation of a new constitution that would reduce the power of the presidency and offer greater protection for civil liberties. In May 1999, the President established the Constitutional Commission

(CC), whose 400 members he appointed, to review the Constitution and prepare a new draft to be submitted to a national referendum. The NCA openly was critical of the CC, asserting that it was a government-controlled entity whose product would not reflect the will of the populace. In 1999 the CC released a draft constitution that would maintain a strong presidency. In a nationwide referendum in 2000, voters defeated the draft constitution. On March 31, the NCA sponsored a conference to revive the constitutional reform process. On several occasions, government representatives stated that redrafting a constitution would not be a priority before the presidential election. The NCA continued to work on a new draft at year's end.

The ruling party's candidates continued to benefit from the ZANU-PF control of the state-owned firms that dominate the country's economy, from its control of the state-monopolized broadcast media (see Section 2.a.), and from its control of granting state funds to political parties. Under the Political Parties Finance Act (PPFA), the Government is required to allocate \$300,000 (Z\$100 million) among political parties in proportion to the parties' seats in the Parliament, provided the party has at least 15 seats. After the MDC won 57 seats in 2000, the Government claimed that the MDC failed to submit its funding request by the deadline and that it was not entitled to state funds. In 2000 the High Court ruled that ZANU-PF could not spend the MDC share until the matter was resolved. During the year, the High Court ruled that the MDC was entitled to state funds under the PPFA, and the Government agreed to pay \$163,000 (Z\$49 million), which it later delivered. In April the Government amended the PPFA to prohibit foreign funding for political parties. Political rights groups declared that the amended act was designed to cut off funding for the opposition, although ZANU-PF routinely ignored the PPFA's prohibitions without consequences.

The percentage of women in government and politics does not correspond to their percentage of the population. Fifteen of the 150 M.P.'s are women, including the Deputy Speaker of Parliament, 3 ministers, 1 deputy minister, and 1 governor. Women participate in politics without legal restriction; however, according to local women's groups, husbands--particularly in rural areas--commonly direct their wives to vote for the husband's preferred candidates. In 1999 the ZANU-PF congress decided that women would be allotted one out of every three party positions. At the ZANU-PF congress in 2000, 50 new positions reserved for women were added to the party's 180-member Central Committee, which is one of the party's most powerful organs.

All major ethnic groups are represented in Parliament and in the Government; however, most members of the Government and the Parliament, as well as most ZANU-PF officials, belong to the Shona ethnic group, which makes up 82 percent of the population (see Section 5). Many members of the minority Ndebele and other groups, who were perceived as opposition supporters by the Government, were removed from the civil service--and prohibited from joining the military--during the year.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Although the Government permits local civic and human rights groups to operate, it monitors their activities closely. The Government usually was unresponsive to the concerns of NGO's and rarely consulted with them during the year. National groups that promote human rights include: The Amani Trust; the Catholic Commission for Justice and Peace (CCJP); the Legal Resources Foundation; Zimbabwe Lawyers for Human Rights; the Bulawayo Legal Projects Centre (BLPC); the NCA; the Southern African Foundation of the Disabled; the Child and the Law Project; the Musasa Project; the Zimbabwe Women Lawyers Association; the Zimbabwe Union of Journalists; the Women's Action Group; Women and Law in Southern Africa; Women in Law and Development in Africa; Zimbabwe Women's Resource Centre and Network; Women and AIDS Support Network; the Media Institute of Southern Africa; Zimcet; ZimRights; Transparency International-Zimbabwe; and the Zimbabwe Liberators Platform.

Domestic NGO's worked on human rights and democracy issues, including lobbying for revision of the POSB, increasing poor women's access to the courts, raising awareness of the abuse of children, eliminating irregularities in voter rolls, conducting voter education, preserving the independence of the judiciary, and eliminating torture, arbitrary detention, and restrictions on freedom of the press and assembly. The Zimbabwe Human Rights NGO Forum has taken the lead in coordinating reports on human rights violations and abuses in the period prior to and following the 2000 elections.

During the year, tensions continued to increase between the Government and civil society. In various public statements throughout the year, the Government accused NGO's of supporting opposition political activity. Unlike in the previous year, there were no reports that the Government threatened to clamp down on NGO's under the Private Voluntary Organizations (PVO) Act, which was ruled unconstitutional in the 1990's. In December the Government introduced legislation that would prohibit NGO's not appointed by the ESC from conducting voter education and would prohibit NGO's from receiving foreign contributions for the purposes of voter education.

In May war veterans, reportedly at the direction of ruling party officials, abducted the local CARE director from his office in Harare and took him to the ZANU-PF provincial office in Harare, where they extorted an unknown amount of money for a dismissed worker who had lodged a complaint with ZANU-PF.

In a case brought by a women's NGO, the Supreme Court ruled unconstitutional those sections of the PVO Act—which had empowered the Minister of Social Welfare, Labor, and Public Service to suspend the executive body or "any member of the executive committee of an organization and to appoint persons to manage the affairs of the organization for a specified time." Prior to the Supreme Court's ruling, several new NGO's set up their organizations as "associations" connected with established NGO's so that their executive bodies would not be subject to government interference.

Amnesty International, Transparency International, and the International Committee of the Red Cross operate in the country. The Government generally does not discourage representatives of international human rights groups from visiting the country; however, the Government asked representatives from one international election monitoring NGO to leave the country in September (see Section 3).

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides that "every person in Zimbabwe" cannot be deprived of fundamental rights, such as right to life, liberty, and security of person, based on his race, tribe, place of origin, political opinions, color, creed, or sex; however, domestic violence and discrimination against women, abuse of children, and discrimination against persons with disabilities remained problems. The Government and ruling party discriminated against the white minority in areas of due process, foreign travel, and property ownership.

Women

Domestic violence against women, especially wife beating, is common and crosses all racial and economic lines. It occurs throughout the country and sometimes results in death. The Musasa Project, a leading women's rights organization, reported that the number of incidents of domestic violence increased during the year due to the deteriorating economy and higher unemployment among men. The organization addressed approximately 2,400 cases during the year. Musasa reported that 54 percent of the women counseled for domestic violence had sexually transmitted diseases, including many with HIV/AIDS.

There continued to be reports of rape, incest, and sexual abuse of women. Musasa handled 22 cases of rape in the first 8 months of the year; many cases were not reported because of the social stigma attached to the crime and wives' fear that husbands may disown them. Approximately 1,000 rapes were reported in Harare during the first 10 months of the year—a rate that reportedly was higher than the previous year. Six cases of politically motivated rape were documented during the year; human rights groups estimate that the actual number of politically motivated rapes may number in the hundreds (see Section 1.c.). There were instances of gang rapes of young girls and elderly women and rapes of female farm workers and health care workers during the preelection period in 2000. Women face many obstacles in filing reports of rape; for example, many police stations are not prepared to handle properly the investigation of such cases. In addition women are reluctant to file reports because of the social stigma of rape. When cases go to court, lengthy sentences for rape and wife beating generally are imposed. However, a "binding over" order (an order to appear in court to respond to an accusation of violent behavior) is issued based only on actual physical abuse and not on threats of violence. Courts also do not have the power to oust an abusive spouse from a couple's home. Systemic problems and lack of education often mean that police do not respond to women's reports or requests for assistance.

In August the Sexual Offenses Act was enacted, which improved the legal recourses available to women. The Act enhances the protection of women by making nonconsensual sex among married partners a crime. The Act provides penalties for up to 10 years in prison for sexual crimes. It also expanded the definition of sexual offenses to include rape, sodomy, incest, indecent assault, or an immoral or indecent act with a child or person with mental disabilities.

Female genital mutilation (FGM), which is condemned widely by international health experts as damaging to both physical and psychological health, rarely is performed in the country. However, according to press reports, the initiation rites practiced by the small Remba ethnic group in Midlands Province include infibulation, the most extreme form of FGM.

There were reports that women were trafficked from the country to South Africa for prostitution and forced labor (see Section 6.f.).

In April Save the Children Norway sponsored a conference in Harare to raise awareness about women's and children's issues, including how to combat child abuse and the trafficking of persons.

Since independence the Government has enacted laws aimed at enhancing women's rights and countering certain traditional practices that discriminate against women. However, women remain disadvantaged in society. Illiteracy, economic dependency, and prevailing social norms prevent rural women in particular from combating societal discrimination. Despite legal prohibitions, women still are vulnerable to entrenched customary practices, including the practice of pledging a young woman to marriage with a partner not of her choosing and the custom of forcing a widow to marry her late husband's brother.

The law recognizes women's right to own property independently of their husbands or fathers. Although unmarried women may own property in their own names, women married under customary law are not allowed to own property jointly with their husbands. The Administration of Estates Amendment Act makes inheritance laws more favorable to widows. However, in 2000 the Supreme Court upheld a magistrate court decision that, under customary ethnic law, a man's claim to family inheritance takes precedence over a woman's, regardless of the woman's age or seniority in the family. The Court cited Section 23 of the Constitution, which allows discrimination against women under customary law. Divorce and maintenance laws are favorable to women, but women generally lack awareness of their rights under the law.

Although labor legislation prohibits discrimination in employment on the basis of gender, women are concentrated in the lower echelons of the work force and commonly face sexual harassment in the workplace. One in three working women at all levels was subjected to sexual harassment in the workplace.

In 2000 the Government promised to grant a quota of 20 percent of resettled land to women, although they comprise nearly 80 percent of the rural population. During the year, very little land was granted to women under the fast-track resettlement scheme (see Section 1.f.).

During a 2000 cabinet restructuring, the cabinet level position of Minister of State for Gender Affairs in the Office of the President was eliminated. The Government created a new Ministry of Youth Development, Gender, and Employment, but it does little to advance the cause of women. The Government gives qualified women access to training in the military and national service. Although there have been recent advances for women, they continue to occupy mainly administrative positions.

Several active women's rights groups, including Women in Law and Development in Africa (WILDAF), the Musasa Project, the Zimbabwe Women Lawyers' Association, the Women's Action Group, and the Zimbabwe Women's Resource Center and Network concentrate on improving women's knowledge of their legal rights, increasing their economic power, and combating domestic violence. Groups that focus on the problems of protection of women against domestic violence and sexual transmission of HIV/AIDS included the Women and AIDS Support Network and the Musasa Project.

Children

The Government continued to demonstrate a commitment to children's rights and welfare through a system of primary health care and education overseen by the Ministry of Health and Child Welfare. The Children's Protection and Adoption Act, the Guardianship of Minors Act, the Deceased Person's Maintenance Act, and Sexual Offenses Act were passed in August (see Section 6.f.), to protect the legal rights of minor children, and the Government increasingly enforced these acts. While there is no compulsory education and schooling is not free, the country has made considerable progress in providing education for children, and overall primary school attendance has increased by more than 4,000 percent since independence. Approximately 93 percent of children reached grade 5. However, because of increased school fees in urban schools and rural secondary schools, enrollment has declined. School fees have risen sharply due to high inflation, resulting in the inability of many families to afford to send all of their children to school. In most regions of the country, fewer girls than boys attend secondary schools. If a family is unable to pay tuition costs, it is most often female children who leave school. The literacy rate for women and girls over the age of 15 is estimated to be 80 percent, while the male rate is approximately 90 percent. However, budget cuts and the lack of adequate attention to HIV/AIDS prevention eroded the Government's capacity to address children's needs in these areas.

International experts estimated that HIV/AIDS infects nearly one-third of the adult population and kills approximately 2,000 persons every week. Deaths from HIV/AIDS have created hundreds of thousands of orphans, a number expected to rise to 1 million by 2005. This rapidly growing problem is expected to put a tremendous strain on both formal and traditional social systems. At the household level, there is an increased burden on the extended family, which has traditional responsibility for caring for orphans. Many grandparents are left to care for the young, and in some cases, children or adolescents are heading families. Many orphans are sent to foster homes, where they often become victims of sexual abuse. At the provincial and national

levels, the governments are saddled with increasing demands for community orphan projects, orphanages, health care, and school fees.

The number of street children, and the related problems of theft, street violence, drug use, and violent death, increased significantly. There were an estimated 12,000 homeless street children in the country in 1999, and the number was estimated to be at least twice that number during the year. The number of incidents of child abuse, including incest (long a taboo), infanticide, child abandonment, and rape increased during the year. It is not known whether the statistics reflect the fact that more cases are occurring or only that more are being reported. The Parents and Family Support Network, a local NGO, reported that one in three children in the country is at risk of physical or emotional abuse. There was a large volume of rape cases in the Harare victim-friendly courts (VFC), which consist of individual magistrates designated to try family cases. The large volume led to calls by children's rights' advocates to establish additional courts in surrounding areas. Children are at increasing risk of HIV/AIDS infection as a result of the rising rate of sexual abuse cases. However, the Sexual Offenses Act makes it a crime to knowingly infect anyone, including children, with HIV/AIDS. The criminal justice system has special provisions for dealing with juvenile offenders.

In April a gardener sodomized his employers' 4-year-old son and reportedly infected him with HIV/AIDS. The case had not reached the courts by year's end.

The 2000 case in which war veterans abducted and sexually abused 10 schoolchildren reportedly was under investigation; however, there was no further information available at year's end.

FGM is performed rarely on girls (see Section 5, Women).

The traditional practice of offering a young girl as compensatory payment in interfamily disputes continued during the year.

Indigenous African churches that combine elements of established Christian beliefs with some beliefs based on traditional African culture and religion generally accept polygyny and the marriage of girls at young ages; they also generally approve of healing only through prayer and oppose science-based medicine including the vaccination of children.

There were continuing reports that children were killed for body parts by persons practicing healing rituals associated with traditional religions. Body parts from children and teenagers reportedly were considered the most efficacious for some such purposes. In January the High Court sentenced Naison Ndlovu to death for killing a 3-year-old girl in 1999 and draining her blood into a bottle for ritual purposes.

There are reports of child labor, including reports of an increasing number of girls engaged in prostitution (see Section 6.d.). In April Save the Children Norway sponsored a conference in Harare to raise awareness about women's and children's issues, including how to combat child abuse and the trafficking of persons (see Section 6.f.).

There were reports that children were trafficked from the country to South Africa for prostitution and forced labor (see Section 6.f.).

Persons with Disabilities

President Mugabe appointed a disability activist to Parliament in 1995 to represent the needs of persons with disabilities. The law specifically prohibits discrimination against persons with disabilities in employment, admission to public places, or provision of services and is viewed by advocates of persons with disabilities as model legislation. However, in practice the lack of resources for training and education severely hampers the ability of persons with disabilities to compete for scarce jobs. The law stipulates that government buildings should be accessible to persons with disabilities; however, implementation of this policy has been slow. A local NGO was working on auditing and implementing the law during the year. NGO's continued to lobby to include albinos in the definition of "disabled" under the law. Persons with disabilities face particularly harsh customary discrimination. According to traditional belief, persons with disabilities are considered bewitched, and reports of children with disabilities being hidden when visitors arrive are common.

The Sexual Offenses Act, enacted in August, expanded the definition of sexual offenses to include an immoral or indecent act with a person with mental disabilities.

Religious Minorities

There are generally amicable relations among the various religious communities. The Muslim, Jewish, Hindu, and Buddhist religious communities are relatively small and generally not in competition with Christian denominations for converts. Catholic Church officials say they welcome interfaith dialog with Muslims but believe some of the evangelical churches are hostile to Islam.

There are at least four umbrella religious organizations primarily focused on interdenominational dialog among Christians and some intrareligious activities. However, Muslims are not represented in any of these organizations, and there is no vehicle for formal Christian-Muslim dialog. Muslims have complained of discrimination by private employers who refuse to allow them sufficient time to worship at their mosques on Fridays.

During the 2000 constitutional referendum, more than 150 priests and ministers under the Evangelical Fellowship of Zimbabwe (EFZ) lobbied for Christianity to be enshrined in the new constitution as the country's sole national religion. That position was rejected, primarily because its opponents argued that Christianity had brought about colonization in Africa.

There were continuing reports of tensions between mainline Christian churches and practitioners of traditional indigenous religions. Leaders of the Christian churches reportedly opposed the repeal or modification of the Witchcraft Suppression Act sought by practitioners of traditional indigenous religions (see Section 2.c.). In previous years, several leaders of Christian churches reportedly denounced the practice of "Satanism" in the country; acts of Satanism allegedly included drinking human blood and eating human flesh.

There were continuing reports of ritual murders associated with traditional religious practices, although the Government actively enforces the law against ritual murders. Gordon Chavanduka, chairman of ZINATHA, the national association of traditional healers, reportedly stated that black-market demand for human body parts used in making potions has increased greatly in recent years. Some observers suggested that this development may be associated with the spread of HIV/AIDS in the country and the lack of affordable science-based medicines for treating infected persons. There were no reports that persons killed children for body parts for use in healing rituals associated with traditional religions during the year. In 1999 Faber Chidarikire, a ZANU-PF official and mayor of the northern town of Chinhoyi, was charged with murdering a 13-year-old girl in 1987, but he was released on bail after intervention by the Attorney General. In June Chidarikire was tried for murder; however, after the trial, a judgment in the case was deferred indefinitely. In 1999 the Chitungwiza police arrested, detained for 6 months, and allegedly tortured a married couple, Joyce and Shupikai Karimazondo, and another person, John Mita, in response to allegations by a neighbor that they had killed their young domestic worker for ritual purposes. In 2000 the Karimazondos and Mita were released, and the murder charge was dropped after the domestic worker was located alive and unharmed (see Section 1.c.).

National/Racial/Ethnic Minorities

According to Government statistics, the Shona ethnic group makes up 82 percent of the population, Ndebele 15 percent, whites less than 1 percent, and other ethnic groups 2 percent. There were tensions between the African majority and the white minority, between the Shona majority and the Ndebele minority, and among the various Shona subgroups.

During the 1960's and 1970's, elements of the white minority rebelled against British rule and established and maintained a racially discriminatory apartheid regime, which was dismantled in 1980 only after insurgencies by the armed wings of ZANU and the Zimbabwe African People's Union (ZAPU), and economic sanctions by the international community. The white community remains economically privileged despite government efforts to confiscate most of their land (see Section 1.f.).

Government services are provided on a nondiscriminatory basis. The Government has sought to expand and improve the previously "whites only" infrastructure in urban areas to provide health and social services to all citizens, and all schools and churches are integrated legally. However, social interaction between Africans and whites remained uncommon. Racial tensions have subsided since independence and remain low despite the Government's ongoing attempts to blame whites for the country's economic and political problems. On many occasions, President Mugabe, members of his Government, and the state-controlled media attempted to reignite resentment of the white minority. President Mugabe accused the white minority of having too close ties to their ancestral countries, and criticized other governments for trying to interfere with the "continuing liberation struggle." During the year, the Government embarked on a far-reaching fast-track resettlement program whereby 85 to 90 percent of large-scale, white-owned commercial farms were designated for seizure with no clear means for providing compensation. Government supporters and war veterans assaulted commercial farmers in their homes and forced hundreds from their property (see Sections 1.a., 1.c., and 1.f.). Members of the white minority were singled out for arrest and denied due process for more than a week in Chinhoyi following brawls between farmers and farm occupiers (see Sections 1.d. and 1.f.). Ruling party

supporters seldom are arrested or charged for infringing upon minority rights. In a nationally televised address before the 2000 elections, Mugabe called white farmers "enemies of the state." In 2000 Matabeleland North Governor Obert Mpofu accused whites of using black citizens in an attempt to remove Mugabe's Government and warned of violence if whites continued to frustrate the fast-track resettlement effort (see Section 1.f.). In 2000 President Mugabe also threatened to revoke his Government's policy of reconciliation with whites that was adopted in 1980 after the MDC tabled a motion in Parliament to impeach him. The President threatened to arrest white M.P.'s for drafting the impeachment motion.

During the 1980's, the Shona-dominated Government suppressed what it called a brief Ndebele insurgency with a 5-year pacification campaign that killed an estimated 10,000 to 20,000 Ndebele civilians in Matabeleland, the region in which the Ndebele are concentrated. However, the Breaking the Silence report prepared by CCJP and the Legal Resources Foundation characterized the government campaign as an effort to impose a one-party state by eliminating support for ZAPU, ZANU's only significant political rival. Although relations between the Shona and the Ndebele subsequently have improved, the disproportionate number of Shona speaking teachers and headmasters in Matabeleland schools remained a sensitive issue. Members of the Ndebele community continued to criticize the Government's unequal distribution of national resources and the Government's failure to compensate victims of the 1980's Matabeleland killings.

Section 6 Worker Rights

a. The Right of Association

The Labor Relations Act (LRA) provides private sector workers with freedom of association and the right to elect their own representatives, publish newsletters, set programs and policies that reflect the political and economic interests of labor, and form or join unions without prior authorization. The LRA allows for the existence of multiple unions per industry, provided that each is registered with the Ministry of Public Service, Labor, and Social Welfare (MPSLSW). While the Government can deregister individual unions, the High Court has ruled that the LRA does not give the Minister the power to suspend or deregister the national umbrella labor confederation, the Zimbabwe Congress of Trade Unions (ZCTU). During the year, ZANU-PF brought the Labor Relations Amendment Bill (LRAB) before Parliament, but it had not passed by year's end. The parliamentary legal committee issued an adverse report on the bill, calling many of its provisions unconstitutional.

Approximately 25 percent of the formal sector work force (approximately 400,000 workers) belong to the 31 unions that form the ZCTU. Although the Government encouraged the ZCTU's formation, anticipating that it would form the labor arm of ZANU-PF, it no longer controls the ZCTU; most of the leadership of the opposition MDC party comes from the ZCTU. ZCTU officers are elected by delegates of affiliated trade unions at congresses held every 5 years; the ZCTU elected a new leadership at its congress in February. ZANU-PF reportedly tried to influence the election of its preferred candidates at the congress by paying the back dues of affiliated unions and bribing congress delegates; however, candidates independent of ZANU-PF were elected. The Government and the ZCTU clashed sharply on economic policy, particularly on a 70 percent increase in the price of fuel in June. The Government often does not consult either the ZCTU or employers before implementing policy decisions that affect the workplace. This lack of consultation often has resulted in reactions that disrupted labor relations, thereby promoting uncertainty and some strikes.

Public servants and their associations, the Public Service Association (PSA), and its branch associations, the Zimbabwe Teachers Association (ZIMTA), the Zimbabwe Nurses Association (ZINA), and the Civil Service Employees Association (CSEA), are not covered by provisions of the LRA. Instead, their conditions of employment are provided for under the Constitution. Although civil servants constitutionally are barred from forming unions, the PSA, and its affiliated associations, have become members of the ZCTU.

The Labor Relations Amendment Act (LRAA) specifies that workers may establish independent worker committees, which exist side by side with unions in each plant. Worker committees also must be registered with the MPSLSW, which is free to refuse registration. ZCTU officials believe that the formation of worker committees was an attempt to dilute union authority, because the worker committees are comprised of union and non-union workers. However, the ineffectiveness of worker committees demonstrated the need for the experienced worker representation of the established trade unions.

It is very difficult to conduct legal collective job action. There is no right to strike in the Constitution. The LRA and the LRAA do not mention this issue. "Essential" employees are prohibited by law from striking, and the Government defines all public sector workers as essential. Managers also are prohibited from striking, and in some industries, the Government defines most employees as managers; the Government also considers some private sector workers, such as those in the health sector, as essential workers. For the remaining nonessential employees legally to conduct a strike, more than 50 percent of the company's employees must

vote in favor of the action. Many employees are afraid to do so, for fear of management reprisals. However, if a majority vote is obtained, the dispute is referred to the concerned government agency for resolution. Only if the government-appointed arbitrator determines that a resolution is not possible is the right to strike granted. These government-imposed delays prevent most employees and their unions from ever declaring legal strikes. However, illegal strikes or work stoppages have occurred within individual companies and occasionally, in entire industries.

There were a number of labor actions, such as strikes and stayaways, during the year. Unlike in the previous year, the ZCTU did not instruct workers to engage in labor actions to protest political violence or farm invasions during the year. In May workers at Willowvale Motor Industries who were demanding payment of severance packages engaged in a sit-in on company premises and held a number of company managers hostage. The action reportedly was in conjunction with or at the instruction of war veterans who were sent to settle worker complaints on behalf of ZANU-PF.

On July 3 and 4, the ZCTU sponsored a national strike after the Government ignored its demands to curtail or eliminate a 70 percent fuel price increase implemented in June, or implement wage increases to offset the price increase. An estimated 85 percent of workers in the major cities participated in the strike. The strike generally was peaceful, although there were reports that police beat residents in Harare's high-density suburbs. After the strike concluded, the ZCTU threatened an indefinite strike if the Government did not meet its demands. On July 11, police arrested and questioned Wellington Chibebwe, the ZCTU's Secretary-General, over the ZCTU-planned stayaway and its association with foreign labor organizations; he was released later that day (see Section 1.d.). Negotiations between the ZCTU and the Government resumed later in July, and in August the Government reportedly agreed in principle to reduce fuel prices, although the amount was not determined. On September 3, the Cabinet reportedly accepted recommendations by the Tripartite Negotiating Forum, a body comprised of government, labor, and business representatives, to rescind a 10 percent fuel surcharge and to establish independent minimum wages in the industry, commerce, and agricultural sectors (see Section 6.e.). In October before negotiations with the Tripartite Negotiating Forum had concluded, the Government decreed the new minimum wages for the industrial, commercial, and agricultural sectors (see Section 6.e.).

On July 11, milling industry workers went on strike for several days after negotiations for higher wages between the Milling Industry Union and company management broke down. The strike caused serious disruption to the milling industry. There was no subsequent action in the strike by year's end.

There were no further efforts to organize nationwide strikes by security guards during the year.

In late July, junior doctors and nurses in state hospitals went on strike to protest low pay scales and poor working conditions, despite legal prohibitions against strikes by essential workers. The Ministry of Health reported that the lack of personnel available to treat patients during the strike resulted in the deaths of 500 persons at state hospitals. Many state hospitals accepted only emergency cases during the strike. On September 6, the doctors and nurses returned to work; however, there was no resolution of their demands. At year's end, the Government continued negotiations with the Public Service Commission, which represents the doctors and nurses.

On August 7, workers at the ZISCO plant in Redcliff went on strike after the management refused to consider workers' requests for wage increases. ZISCO management called for the security services to end the strike even before the workers received an initial response from the Ministry of Labor. On August 8, members of the security forces forcibly dispersed the workers, which resulted in several deaths and injuries (see Sections 1.a. and 1.c.). Workers at the plant resumed work several days after the security forces intervened. The Ministry of Labor later ordered a 15 percent salary increase for the workers.

During the year, workers from individual companies seeking pay increases continued to call spot strikes because of the decrease in the value of their salaries due to inflation and currency devaluation; however, these strikes were sporadic and not formally sanctioned by either individual unions or the ZCTU.

In May individuals and groups identifying themselves as war veterans, in collusion with the ruling party's regional organizations, began a wave of invasions and intimidation of commercial and nonprofit business entities. In a program reminiscent of the commercial farm invasions, these at times violent confrontations were aimed at wresting away from the trade unions the political support of the formally-employed wage-earning sector of the populace, by representing workers in their claims against employers. Operating from party headquarters in the urban centers, war veterans and ZANU-PF supporters, who often were armed, invaded businesses and demanded on-the-spot cash payments and reinstatement of dismissed employees. In Harare and Norton, approximately 550 workers lost their jobs after the factories in which they worked were forced to close in response to war veterans interference. In May in Harare, war veterans invaded the offices of an NGO

that operates orphanages and forced the offices to close; the war veterans claimed to be resolving a labor dispute between management and a former employee. After both local and international observers criticized the tactics as extortion, the Government arrested two local war veteran leaders, who quickly were released on bail. No further action on the cases was reported by year's end.

The International Confederation of Free Trade Unions (ICFTU) has criticized the labor laws for giving "wide scope to the authorities to declare that a given enterprise or industry constitutes an essential service, and then impose a ban (on strikes) on it." The authority to reclassify a previously nonessential service as essential was not used during the year. In previous years, President Mugabe issued blanket bans on strikes in the country in both the public and private sectors; however, he did not issue any such bans during the year. Government officials stressed that the Government reserves the right to reimpose these bans at its discretion.

During the year, the ZCTU was critical of violence directed at agricultural workers who live and work on commercial farms, many of whom are members of the General Agricultural and Plantation Workers Union of Zimbabwe (GAPWUZ), which is affiliated with the ZCTU (see Sections 1.a., 1.c., 1.e., 1.f., and 2.d.). On November 7, ZANU-PF supporters beat dozens of farm workers and their families near Marondera (see Section 1.c.). There were numerous reports of violence and widespread incidents of war veterans threatening workers for alleged MDC support.

On January 24, in Masvingo, approximately 100 war veterans reportedly forced striking civil servants, the majority of them teachers, to return to work; the war veterans warned the teachers that they would lose their jobs if they did not return to work. War veterans also reportedly placed three of the teachers under citizen's arrest and took them to a police station, where the police quickly released them. The majority of the striking teachers reported to work after the threats. In May there was a report that ZANU-PF supporters chased teachers and civil servants from their jobs in Matabeleland North because of their suspected support of the MDC.

No further action was reported on pending ILO cases during the year.

The LRA allows for the formation of multiple national federations. On June 4, a second umbrella labor organization, the Zimbabwe Federation of Trade Unions (ZFTU), began to function after a long period of inactivity. Joseph Chinotimba, a prominent war veteran leader, appeared to lead the organization. Most observers noted that the ZFTU was reformed by ZANU-PF to spearhead its campaign to force mostly white-owned businesses to resolve individual wage and employment disputes and grant higher wages to their workers. The ZFTU has criticized the ZCTU for failing to resolve longstanding labor disputes, but the ZCTU maintains that it is the responsibility of individual labor unions to negotiate with employers. The ZFTU attempted to coerce some ZCTU-affiliated union members into joining its own nascent unions.

The ZCTU and its officials are free to associate with international labor organizations and do so actively. The ZCTU is affiliated with the ICFTU and the Southern African Trade Union Coordinating Council. The ZFTU has no known international affiliations.

b. The Right to Organize and Bargain Collectively

The LRA provides workers with the right to organize. As originally written, this act was silent on the right to bargain collectively. However, the LRAA permits unions to bargain collectively over wages. Worker committees, which by law are not organizationally part of the unions or the ZCTU, are empowered to negotiate with the management of a particular plant on the conditions of labor and codes of conduct in the workplace, except for wages. Unions, employers, and individual workers have the right to take their grievances to the Government's Labor Relations Tribunal (LRT) for final adjudication. The LRT has continued to maintain a 5-year backlog of 3,000 cases; however, in May the Government appointed 3 new LRT judges, who helped eliminate 2 years of the backlog by year's end.

Collective bargaining wage negotiations take place on an industry-wide basis between the relevant union and employer organizations sitting on joint employment boards or councils. Collective bargaining agreements apply to all workers in an industry, not just union members. More than 80 percent of all industries are unionized (see Section 6.a.). Between April and July each year, workers and employees negotiate salary increases and other benefits in their respective National Employment Councils (NEC's). These bodies submit their agreements to the Registrar in the MPSLSW for approval. The Government retains the power to veto agreements that it believes would harm the economy. However, it does not involve itself directly in labor negotiations unless requested to do so by one of the parties. When no trade union represents a specific sector, representatives of the organized workers, such as the professional associations, meet with the employer associations, under the mediation of labor officers from the MPSLSW. Although companies offered wage increases that did not keep up with inflation during the year, workers and unions accepted the increases offered because of the economic

crisis.

Employees in positions designated as managerial are excluded from union membership and thus from the collective bargaining process. The ZCTU stated that the definition of manager in the LRAA was overly broad and criticized the Government and private sector for using it to exclude managers from the collective bargaining process.

Public sector wages are determined by the Salary Service Department of the MPSLSW, subject to the approval of an independent Public Service Commission (PSC) (see Section 6.e.). Each year PSC officials meet with PSA representatives to review wages and benefits. These reviews result in a recommendation that is forwarded to the MPSLSW. The Minister is not required by law to accept the recommendation and usually proposes a wages and benefits package that is less than the recommendation, resulting in yearly industrial protest actions by civil servants.

The LRA prohibits antiunion discrimination by employers against union members. Complaints of such discrimination are referred to labor relations officers and may subsequently be adjudicated by the LRT. Such complaints are handled under the mechanism for resolving cases involving "unfair labor practices." The determining authority may direct that workers fired due to antiunion discrimination should be reinstated, although this has yet to be utilized in practice.

The LRAA streamlined the procedure for adjudicating disputes by strengthening the LRT. Labor relations officers hear a dispute; their decision may be appealed to regional labor relations officers, after which the LRT may hear the case. Ultimately, it may be appealed to the Supreme Court. However, cases from as early as 1997 remained pending with the LRT at year's end.

In April and May, international and domestic labor organizations strongly criticized war veterans for conducting a campaign of threats and violence against urban business managers who had outstanding disputes with workers, some as far as back as 7 years. In one case, a private hospital was forced, under threat of violence, to pay \$16,000 (Z\$5 million) in back wages to 30 former employees. Approximately 200 businesses in and around Harare and Bulawayo were coerced into producing payments.

The Export Processing Zones Act states the LRA shall not apply to workers in export processing zones (EPZ's). The ZCTU has negotiated directly with EPZ employers to allow some unions in the EPZ, although their number and level of activity remain low.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced, compulsory, or bonded labor, including by children; however, the law is not enforced in practice. The traditional practice of offering a young girl as compensatory payment in interfamily disputes continued in rural areas (see Section 5), and reportedly persons, particularly women and children, were trafficked from the country to South Africa for prostitution and forced labor (see Section 6.f.). The Sexual Offenses Act, passed in August, provides fines and imprisonment for those convicted of prostituting children or procuring prostitutes inside or outside the country (see Section 6.d.).

d. Status of Child Labor Practices and Minimum Age for Employment

The law bans the employment of children under the age of 15 and restricts employment of those between the ages of 12 and 17 to light work during school holidays for periods not exceeding 6 hours per day. Light work is defined as work not likely to prejudice a child's education, health, safety, rest, or social, physical, or mental development. All hazardous employment, overtime, and night shift work is banned for those under the age of 18. However, there is little to no enforcement of these laws.

Child labor is common. According to the 2000 National Child Labor Survey, approximately 25 percent of children between the ages of 5 and 17 were involved in some form of child labor. Children work in the agricultural sector, and there were reports that children worked as domestics and as car-watchers. Child labor in the formal agricultural sector, such as on tea and coffee plantations, reportedly involves children working in the fields after school during the planting and harvesting seasons and full-time during school holidays. Long hours are common. Children often work alongside their parents, and their working conditions approximate those of adults. While some form of child labor on large commercial farms is widespread, agricultural organizations maintain that the labor performed is not exploitative, involuntary, contrary to law, or outside of cultural norms that allow children to engage in field work with their families. On some farms where children attend boarding schools, school schedules and calendars are tailored to allow children to work in the fields during busy farming periods. These children work in "earn and learn" schools, where a percentage of their

wages is applied to their school fees and books. Economic hardship makes this arrangement a necessity for children from very poor families.

Approximately 35 percent of the adult population are infected with HIV/AIDS. As a result, more children worked in the informal sector to fill the income gap left by ill or deceased relatives. The number of children in adoptive homes or living on the streets increased rapidly.

The unemployment rate continues to grow, decreasing the number of children employed in the formal sector. However, the incidence of children working in the informal sector has increased as families, often headed by children, need a source of income. Many children sell simple wares on the streets. In addition police have reported an increasing number of girls under 17 years of age that are engaged in prostitution. The police frequently enforced laws against child prostitution.

The deteriorating economy, family breakdown, and HIV/AIDS are forcing more children to work. Although child labor in the agricultural, domestic, and informal sectors increasingly is discussed, the Government and NGO's have been unable to gather concrete data on the number of cases.

In October Parliament passed the Child Adoption and Protection Amendment Act, which incorporates ILO Convention 182 on the worst forms of child labor; however, the law was not implemented by year's end.

The law prohibits forced and bonded labor by children; however, the traditional practice of offering a young girl as compensatory payment in interfamily disputes continued (see Section 5), and there were reports that children were trafficked from the country to South Africa for prostitution and forced labor (see Section 6.f.). The Sexual Offenses Act, which was signed into law in August, provides for a maximum fine of \$115 (Z\$35,000) or imprisonment of up to 7 years for those convicted of prostituting children under 12 years of age. It also provides for a maximum fine of \$167 (Z\$50,000) and a maximum prison sentence of 10 years for "procuring another person to become a prostitute and have sex whether inside or outside Zimbabwe."

e. Acceptable Conditions of Work

The maximum legal workweek is 54 hours, and the law prescribes a minimum of one 24-hour rest period per week. Working conditions are regulated by the Government on an industry-specific basis. The Constitution empowers the PSC to set conditions of employment in the public sector. The Government eliminated a national minimum wage as part of the Economic Structural Adjustment Program of 1990, with the exception of agricultural and domestic workers. Government regulations for each of the 22 industrial sectors continue to specify minimum wages, hours, holidays, and required safety measures. In recent years, in an effort to remove itself from the wage bargaining system, the Government mandated wage parameters for industries. Due to an ineffective monitoring system, many agricultural and domestic workers are remunerated below the minimum wage. In October the Government established new monthly wages of \$14 (Z\$4,181) for agricultural workers, \$26 (Z\$7,903) for agro-industrial workers, and \$30 (Z\$8,926) for industrial workers.

Minimum wages in the formal sector changed continuously as a result of multiple increases in salaries to offset the high inflation rate. However, in almost all cases, wage increases did not keep pace with inflation, the spiraling exchange rate, and the increases in the prices of petroleum products and basic food staples. In recent years, the ZCTU pressed the Government to reestablish a national minimum wage, but Government had not done so by year's end. The minimum wage does not provide a decent standard of living for a worker and family, and at least 70 percent of the population lives below the Government's own poverty line.

In 2000 civil servants were granted 60 to 90 percent pay raises, with the lowest paid positions receiving the largest percentage raises. While criticized by some as an effort by the Government to buy the votes of the civil servants before the June 2000 parliamentary elections, these raises were viewed as necessary by the ZCTU because of the traditionally low level of civil servant salaries. In October 2000, the MPSLSW announced a new regulation prohibiting civil servants from engaging in any for-profit enterprises. The Government stated that many workers were operating their own for-profit businesses instead of attending to official duties during the workday; however, many civil servants contested that they needed to do so to earn a livable wage.

Many of the basic legal protections do not apply to the vast majority of farm, mine, and domestic workers. Health and safety standards are determined on an industry-specific basis. Despite the lack of general standards, the National Social Security Authority's (NSSA) statistics from 1999 show a decrease in the number of occupational injuries and deaths. There were 139 fatal job accidents reported and 12,000 occupational injuries in 1999. In theory labor relations officers from the MPSLSW are assigned to monitor developments in each plant to ensure that government minimum wage policy and occupational health and safety regulations are observed. In practice these offices are understaffed, cannot afford to inspect routinely workplaces, and must

rely on voluntary compliance and reporting by employers.

On July 23, Amos Murungweni, a factory worker in Harare, reportedly was "minced" to death by a machine used to mix chemicals. Murungweni reportedly had been operating the machine alone. An investigation reportedly was made in the case; however, the results were not released by year's end.

The Government designated the Zimbabwe Occupational Safety Council (ZOSHC) to regulate safe work conditions. The ZOSHC is a quasi-governmental, advisory body comprised of six representatives each from the Government, employers, and trade unions. The National Director of the ZOSHC is responsible for enforcing worker safety regulations. The director reports weekly to the MPSLSW on actions taken. Budgetary constraints and staffing shortages, as well as its status as an advisory council, have made the council ineffective. The NSSA continues to experience difficulty monitoring the thousands of work sites across the country; however, it has begun to enforce safety standards more vigorously, by closing down shops and factories in noncompliance. Although workers have a legal right to remove themselves from dangerous work situations without jeopardy to continued employment, in practice they risk the loss of their livelihood if they do so, and this situation worsened during the year. Foreign workers are covered by ZOSHC's safety standards, but domestic workers are excluded because of the "impracticality" of enforcing standards in private homes. Government workers are excluded also.

According to the ZCTU, some employers take advantage of illegal refugees for inexpensive labor. Because the job market is worse in neighboring countries such as Malawi and Mozambique, the refugees are willing to risk arrest and work for wages below the legal minimums (see Section 2.d.).

f. Trafficking in Persons

Although there are no laws that specifically address trafficking in persons, common law prohibits abduction and forced labor, and the Sexual Offenses Act makes it a crime to transport persons across the border for sex. Trafficking of persons was a growing problem in the country. There continued to be reports that persons were trafficked, particularly women and children, from the country to South Africa for prostitution and forced labor. The Government took no actions to address the problem of trafficking in persons.

The country is primarily a source for the trafficking of men, women, and children to South Africa, but it also is a transit point for the trafficking of persons from Asia, Mozambique, and Malawi to South Africa. Most persons who are trafficked through the country to South Africa entered the country via its border with Botswana, which is more porous than its other borders. In a smaller number of cases, it is a destination point for trafficked persons from Mozambique, Malawi, and other poorer countries in southern and central Africa. There are no figures available from the Government or NGO's on the numbers trafficked to, from, or through the country. Although both men and women of every age group were trafficked, young women under 25 years of age appeared to be targeted specifically for trafficking to South Africa.

Most trafficking victims in the country appear to be targeted because they are young, unemployed, or dispossessed. Traffickers were known to enter nightclubs or other youth gathering places to look for recruits. Most trafficking victims were promised higher paying jobs in industry or commerce, few of which exist in South Africa. Some were forced to sign fraudulent contracts. Other persons, such as the unemployed and homeless, were recruited off the streets. Many young women were forced into the sex trade, and victims often were held against their wills and denied pay. Nearly all victims were transported by truck, especially in containerized cargo trucks. Typically, truck drivers would leave the trafficked persons near border posts, where they would cross the border on foot and be met on the other side.

There were reports that Taiwanese crime syndicates were involved in trafficking Chinese through Mozambique and Zimbabwe to South Africa. However, most trafficking from or through the country appeared to involve loose organizations of independent truck drivers and recruiters, most of whom did not have connections to overseas crime groups.

Trafficked persons in the country were denied access to food, water, and sanitation facilities while being transported. In some cases, victims were beaten.

In August Parliament passed and signed into law the Sexual Offenses Act, which makes it a crime to transport persons across the country's borders for the sex industry (see Section 6.d.). Traffickers also can be prosecuted under other legislation, such as immigration and abduction laws, but the specified punishments generally are minor. The ZRP is the primary government authority involved in combating trafficking.

The Government generally does not acknowledge the problem of trafficking in persons. In cases where

trafficking is discovered, the ZRP usually focused on the illegal immigration status of the victims rather than the activities of the traffickers. Most discovered victims of foreign nationality were detained and then deported. For citizens who were victims of trafficking, the Government does not provide medical or financial assistance. A trafficked person has the option to take his or her case before the VFC , but no cases were filed during the year.

In April members of the ZRP, government officials, and NGO's attended a regional conference on women's and children's issues in Harare on the problem of trafficking in southern Africa. The conference recommended that all regional governments pass legislation outlawing the trafficking of persons; however, the Government did not take any action by year's end.